

State of Iowa

JOURNAL OF THE SENATE

**EIGHTY-EIGHTH
GENERAL ASSEMBLY**

2019 REGULAR SESSION

CHARLES SCHNEIDER, President of the Senate
W. CHARLES SMITHSON, Secretary of the Senate

Published by the
STATE OF IOWA
Des Moines

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EIGHTY-EIGHTH GENERAL ASSEMBLY
2019 Regular Session

OFFICERS OF THE SENATE

| | |
|------------------------------|--|
| CHARLES SCHNEIDER | <i>President of the Senate</i> |
| JERRY BEHN | <i>President Pro Tempore</i> |
| JACK WHITVER | <i>Majority Leader</i> |
| AMY SINCLAIR | <i>Majority Whip</i> |
| WAYLON BROWN | <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> |
| PAM JOCHUM | <i>Assistant Minority Leader</i> |
| LIZ MATHIS | <i>Assistant Minority Leader</i> |
| HERMAN C. QUIRMBACH | <i>Assistant Minority Leader</i> |
| RICH TAYLOR | <i>Assistant Minority Leader</i> |
| W. CHARLES SMITHSON | <i>Secretary of the Senate</i> |
| LEMUEL ANDERSON | <i>Doorkeeper</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>Senior Administrative Services Officer</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</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> |
| SAM CROWE | <i>Doorkeeper</i> |
| CHRIS DORSEY | <i>Administrative Assistant to Senate President III</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 FOECKE | <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</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> |
| DYLAN KELLER | <i>Majority Caucus Research Analyst</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 II</i> |
| JACE MIKELS..... | <i>Minority Caucus Senior Research Analyst</i> |
| DYLAN NELSON | <i>Doorkeeper</i> |
| KATHY OLAH | <i>Senior Administrative Services Officer</i> |
| BRITTAN OSTBY..... | <i>Doorkeeper</i> |
| RON PARKER | <i>Minority Caucus Senior Staff Director</i> |
| CHRISTINE PORTER..... | <i>Switchboard Operator</i> |
| MEGAN SCHLESKY | <i>Majority Caucus Research Analyst</i> |
| EMILY SCHWICKERATH | <i>Executive Secretary to Majority Leader</i> |
| KERRY SCOTT..... | <i>Minority Caucus Senior Research Analyst</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> |
| 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> |
| KERT SCHNELL..... | <i>Security Officer I</i> |
| LEO SKEFFINGTON..... | <i>Security Officer I</i> |
| RICHARD TAYLOR | <i>Security Officer I</i> |
| MICHAEL H. WINTER..... | <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 |
| MIKE NAIG, <i>Secretary of Agriculture</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 |
| SUSAN K. CHRISTENSEN, <i>Justice</i> | Harlan |
| EDWARD M. MANSFIELD, <i>Justice</i> | Des Moines |
| CHRISTOPHER L. McDONALD, <i>Justice</i> | Des Moines |
| THOMAS D. WATERMAN, <i>Justice</i> | Pleasant Valley |
| DAVID S. WIGGINS, <i>Justice</i> | West Des Moines |

JUDGES OF THE IOWA COURT OF APPEALS

| | |
|--|--------------|
| GAYLE NELSON VOGEL, <i>Chief Judge</i> | Spirit Lake |
| THOMAS N. BOWER, <i>Judge</i> | Cedar Falls |
| RICHARD H. DOYLE, <i>Judge</i> | Des Moines |
| SHARON GREER, <i>Judge</i> | Marshalltown |
| DAVID MAY, <i>Judge</i> | Polk City |
| MICHAEL R. MULLINS, <i>Judge</i> | Washington |
| 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-EIGHTH GENERAL ASSEMBLY 2019 Regular Session

(Underlined county indicates the county of residence.)

JERRY BEHN

Address Boone
Age 65
Occupation Farmer/Agribusiness
Political Party Republican
Previous Legislative Service Senate: 1997–2018
Senatorial District 24–Boone, Greene, Hamilton, Story, Webster

TONY BISIGNANO

Address Des Moines
Age 66
Occupation Retired
Political Party Democratic
Previous Legislative Service House: 1987–1992; Senate: 1993–1996, 2015–2018
Senatorial District 17–Polk

JOE BOLKCOM

Address Iowa City
Age 62
Occupation Outreach Dir., UI Ctr. for Global and Regional
Environmental Research and Iowa Flood Center
Political Party Democratic
Previous Legislative Service Senate: 1999–2018
Senatorial District 43–Johnson

NATE BOULTON

Address Des Moines
Age 38
Occupation Attorney
Political Party Democratic
Previous Legislative Service Senate: 2017–2018
Senatorial District 19–Polk

MICHAEL BREITBACH

Address Strawberry Point
Age 62
Occupation Business Owner
Political Party Republican
Previous Legislative Service Senate: 2013–2018
Senatorial District 28–Allamakee, Clayton, Fayette, Winneshiek

WAYLON BROWN

Address St. Ansgar
 Age 39
 Occupation Small Business Owner/ Farmer
 Political Party Republican
 Previous Legislative Service Senate: 2017–2018
 Senatorial District 26–Cerro Gordo, Chickasaw, Floyd, Howard,
Mitchell, Winneshiek, Worth

JIM CARLIN

Address Sioux City
 Age 56
 Occupation Attorney
 Political Party Republican
 Previous Legislative Service House: 2017; Senate: 2018*
 Senatorial District 3–Plymouth, Woodbury

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

CLAIRE CELSI

Address West Des Moines
 Age 52
 Political Party Democratic
 Previous Legislative Service None
 Senatorial District 21–Polk, Warren

JAKE CHAPMAN

Address Adel
 Age 34
 Occupation Businessman/EMT
 Political Party Republican
 Previous Legislative Service Senate: 2013–2018
 Senatorial District 10–Adair, Cass, Dallas, Guthrie, Polk

MARK COSTELLO

Address Imogene
 Age 57
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service Senate: 2015–2018
 Senatorial District 12–Fremont, Mills, Montgomery, Page, Ringgold, Taylor

CHRIS COURNOYER

Address LeClaire
 Age 48
 Occupation Webmaster
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 49–Clinton, Scott

JEFF DANIELSON

Address Cedar Falls
Age 48
Occupation Career Firefighter, City of Cedar Falls
Political Party Democratic
Previous Legislative Service Senate: 2005–2018*
*Resigned February 14, 2019.

DAN DAWSON

Address Council Bluffs
Age 40
Occupation Peace Officer
Political Party Republican
Previous Legislative Service Senate: 2017–2018
Senatorial District 8–Pottawattamie

WILLIAM A. DOTZLER, JR.

Address Waterloo
Age 71
Occupation Retired—John Deere
Political Party Democratic
Previous Legislative Service House: 1997–2002; Senate: 2003–2018
Senatorial District 31–Black Hawk

JEFF EDLER

Address State Center
Age 42
Political Party Republican
Previous Legislative Service Senate: 2017–2018
Senatorial District 36–Black Hawk, Marshall, Tama

RANDY FEENSTRA

Address Hull
Age 50
Occupation Dordt College Professor
Political Party Republican
Previous Legislative Service Senate: 2009–2018
Senatorial District 2–Cherokee, O'Brien, Plymouth, Sioux

JULIAN B. GARRETT

Address Indianola
Age 78
Occupation Farmer
Political Party Republican
Previous Legislative Service House: 2011–2013; Senate: 2013*–2018
Senatorial District 13–Madison, Warren

*Elected in special election held on November 19, 2013.

ERIC GIDDENS

Address Cedar Falls
 Age 45
 Occupation UNI Energy Education/Outreach Coordinator
 Political Party Democratic
 Previous Legislative Service None
 Senatorial District 30–Blackhawk

*Elected in special election held on March 18, 2019.

THOMAS A. GREENE

Address Burlington
 Age 69
 Political Party Republican
 Previous Legislative Service Senate: 2017–2018
 Senatorial District 44–Des Moines, Louisa, Muscatine

DENNIS GUTH

Address Klemme
 Age 63
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service Senate: 2013–2018
 Senatorial District 4–Emmet, Hancock, Kossuth, Winnebago, Wright

ROBERT M. HOGG

Address Cedar Rapids
 Age 52
 Occupation Attorney
 Political Party Democratic
 Previous Legislative Service House: 2003–2006; Senate: 2007–2018
 Senatorial District 33–Linn

PAM JOCHUM

Address Dubuque
 Age 64
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1993–2008; Senate: 2009–2018
 Senatorial District 50–Dubuque

CRAIG JOHNSON

Address Independence
 Age 55
 Occupation Executive Director-Heartland Acres
 Political Party Republican
 Previous Legislative Service Senate: 2017–2018
 Senatorial District 32–Black Hawk, Bremer, Buchanan, Fayette

TIM L. KAPUCIAN

Address Keystone
Age 62
Occupation Farmer
Political Party Republican
Previous Legislative Service Senate: 2009–2018
Senatorial District 38–Benton, Iowa, Poweshiek

KEVIN KINNEY

Address Oxford
Age 55
Occupation Farmer/Retired Deputy Sheriff
Political Party Democratic
Previous Legislative Service Senate: 2015–2018
Senatorial District 39–Johnson, Keokuk, Washington

CARRIE KOELKER

Address Dyersville
Age 48
Occupation Executive Director-Tourism and Economic Development
Political Party Republican
Previous Legislative Service None
Senatorial District 29–Dubuque, Jackson, Jones

TIM KRAAYENBRINK

Address Fort Dodge
Age 59
Occupation Investment Advisor
Political Party Republican
Previous Legislative Service Senate: 2015–2018
Senatorial District 5–Calhoun, Humboldt, Pocahontas, Webster

MARK S. LOFGREN

Address Muscatine
Age 57
Occupation Real Estate Sales Associate
Political Party Republican
Previous Legislative Service Senate: 2017–2018
Senatorial District 46–Muscatine, Scott

JIM LYKAM

Address Davenport
Age 69
Occupation Legislator
Political Party Democratic
Previous Legislative Service House: 1989–1990, 2003–2016; Senate: 2017–2018
Senatorial District 45–Scott

LIZ MATHIS

Address Cedar Rapids
 Age 61
 Occupation Non-profit Executive/Family Business Owner
 Political Party Democratic
 Previous Legislative Service Senate: 2012*–2018
 Senatorial District 34–Linn

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

MARIANNETTE MILLER-MEEKS

Address Ottumwa
 Age 63
 Occupation Physician
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 41–Davis, Jefferson, Van Buren, Wapello

ZACH NUNN

Address Altoona
 Age 39
 Occupation Military Officer
 Political Party Republican
 Previous Legislative Service House: 2015–2017
 Senatorial District 15–Jasper, Polk

JANET PETERSEN

Address Des Moines
 Age 48
 Occupation Marketing Communications Consultant
 Political Party Democratic
 Previous Legislative Service House: 2001–2012; Senate: 2013–2018
 Senatorial District 18–Polk

HERMAN C. QUIRMBACH

Address Ames
 Age 68
 Occupation Associate Professor of Economics—Iowa State University
 Political Party Democratic
 Previous Legislative Service Senate: 2003–2018
 Senatorial District 23–Story

AMANDA RAGAN

Address Mason City
Age 64
Occupation Executive Dir. of Community Kitchen N Iowa/
Executive Dir. of Meals on Wheels
Political Party Democratic
Previous Legislative Service Senate: 2002*–2018
Senatorial District 27–Butler, Cerro Gordo, Franklin
*Elected in special election held on March 12, 2002.

KEN ROZENBOOM

Address Oskaloosa
Age 67
Occupation Farming/Ag Business
Political Party Republican
Previous Legislative Service Senate: 2013–2018
Senatorial District 40–Appanoose, Mahaska, Marion, Monroe, Wapello

CHARLES SCHNEIDER

Address West Des Moines
Age 45
Occupation Counsel–Principal Financial Group
Political Party Republican
Previous Legislative Service Senate: 2013*–2018
Senatorial District 22–Dallas, Polk
*Elected in special election held on December 11, 2012.

JASON SCHULTZ

Address Schleswig
Age 46
Occupation Farmer
Political Party Republican
Previous Legislative Service House: 2009–2013; Senate: 2015–2018
Senatorial District 9–Crawford, Harrison, Ida, Monona, Shelby, Woodbury

MARK SEGEBART

Address Vail
Age 68
Occupation Farmer
Political Party Republican
Previous Legislative Service Senate: 2013–2018
Senatorial District 6–Audubon, Buena Vista, Carroll, Crawford, Sac

TOM SHIPLEY

Address..... Nodaway
Age.....65
Occupation..... Farmer/Legislator
Political Party..... Republican
Previous Legislative Service..... Senate: 2015–2018
Senatorial District..... 11–Adams, Cass, Pottawattamie, Union

AMY SINCLAIR

Address.....Allerton
Age.....43
Political Party.....Republican
Previous Legislative Service.....Senate: 2013–2018
Senatorial District.....14—Clarke, Decatur, Jasper, Lucas
Marion, Wayne

JACKIE SMITH

Address..... Sioux City
Age.....63
Political Party.....Democratic
Previous Legislative Service.....None
Senatorial District.....7—Woodbury

ROBY SMITH

Address..... Davenport
Age..... 41
Occupation..... Small Business Owner
Political Party..... Republican
Previous Legislative Service..... Senate: 2011–2018
Senatorial District..... 47–Scott

ANNETTE SWEENEY

Address.....Alden
Age.....61
Occupation.....Farmer
Political Party.....Republican
Previous Legislative Service.....House: 2009–2011; Senate: 2018*
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 64
Occupation Master HVAC/R Technician/Master Electrician
Political Party Democratic
Previous Legislative Service Senate: 2013–2018
Senatorial District 42–Henry, Jefferson, Lee, Washington

TODD E. TAYLOR

Address Cedar Rapids
Age 52
Occupation AFSCME Rep
Political Party Democratic
Previous Legislative Service House: 1995–2018
Senatorial District 35–Linn

ZACH WAHLS

Address Coralville
Age 27
Political Party Democratic
Previous Legislative Service None
Senatorial District 37–Cedar, Johnson, Muscatine

ZACH WHITING

Address Spirit Lake
Age 31
Occupation Policy Advisor
Political Party Republican
Previous Legislative Service None
Senatorial District 1–Clay, Dickinson, Lyon, Osceola, Palo Alto

JACK WHITVER

Address Ankeny
Age 38
Occupation Business Owner/Attorney
Political Party Republican
Previous Legislative Service Senate: 2011*–2018
Senatorial District 19–Polk

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

BRAD ZAUN

Address Urbandale
Age 57
Occupation Director–Master Dowel/Grapnel Tech Services
Political Party Republican
Previous Legislative Service Senate: 2005–2018
Senatorial District 20–Polk

DAN ZUMBACH

Address Ryan
Age 58
Occupation Farmer
Political Party Republican
Previous Legislative Service Senate: 2013–2018
Senatorial District 48–Buchanan, Delaware, Jones, Linn

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 14, 2019

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 2019 Regular Session of the Eighty-eighth General Assembly convened at 10:00 a.m., and the Senate was called to order by President Schneider.

Prayer was offered by The Most Reverend Richard E. Pates, Bishop of the Diocese of Des Moines. He was the guest of President Schneider.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ella, Elin, and Drew Whitver, children of Senator Whitver.

ADOPTION OF TEMPORARY RULES AND TEMPORARY COMPENSATION

Senator Whitver moved that the rules of the Senate adopted by the Eighty-seventh General Assembly and provisions for compensation adopted by the Eighty-seventh General Assembly be adopted as the temporary rules and temporary compensation provisions for the 2019 Session of the Eighty-eighth General Assembly.

The motion prevailed by a voice vote.

SPECIAL GUEST

President Schneider welcomed to the Senate chamber the Honorable Patrick Deluhery, former member of the Senate from Scott County, Davenport, Iowa.

The Senate rose and expressed its welcome.

APPOINTMENT OF SECRETARY OF THE SENATE

Senator Whitver moved that Charlie Smithson be appointed as Secretary of the Senate.

The motion prevailed by a voice vote, and Mr. Smithson appeared before the rostrum and was duly sworn to the oath of office.

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 Edler, Chair; Garrett, Jochum, Quirmbach, and Schultz.

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-eighth General Assembly.

JEFF EDLER, Chair
JULIAN B. GARRETT
PAM JOCHUM
HERMAN C. QUIRMBACH
JASON SCHULTZ

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 November 6, 2018, each of the following named persons was duly elected to the office of State Senator for the term of four years to represent the designated districts beginning on the second day of January, 2019:

| | | | |
|-------|------------------|----------------|----------------|
| First | Zach Whiting | Twenty-Seventh | Amanda Ragan |
| Third | Jim Carlin | Twenty-Ninth | Carrie Koelker |
| Fifth | Tim Kraayenbrink | Thirty-First | Bill Dotzler |

| | | | |
|--------------|---------------------|----------------|--------------------------|
| Seventh | Jackie Smith | Thirty-Third | Robert M. Hogg |
| Ninth | Jason Schultz | Thirty-Fifth | Todd Taylor |
| Eleventh | Tom Shipley | Thirty-Seventh | Zach Wahls |
| Thirteenth | Julian Garrett | Thirty-Ninth | Kevin Kinney |
| Fifteenth | Zach Nunn | Forty-First | Mariannette Miller-Meeks |
| Seventeenth | Tony Bisignano | Forty-Third | Joe Bolkcom |
| Nineteenth | Jack Whitver | Forty-Fifth | Jim Lykam |
| Twenty-First | Claire Celsi | Forty-Seventh | Roby Smith |
| Twenty-Third | Herman C. Quirmbach | Forty-Ninth | Chris Cournoyer |
| Twenty-Fifth | Annette Sweeney | | |

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 8, 2016, each of the following named persons was duly elected to the office of State Senator for the term of four years to represent the designated districts beginning on the second day of January, 2017:

| | | | |
|---------------|-------------------|---------------|-------------------|
| Second | Randy Feenstra | Twenty-Eighth | Michael Breitbach |
| Fourth | Dennis Guth | Thirtieth | Jeff Danielson |
| Sixth | Mark Segebart | Thirty-Second | Craig Johnson |
| Eighth | Dan Dawson | Thirty-Fourth | Liz Mathis |
| Tenth | Jake Chapman | Thirty-Sixth | Jeff Edler |
| Twelfth | Mark Costello | Thirty-Eighth | Tim Kapucian |
| Fourteenth | Amy Sinclair | Fortieth | Ken Rozenboom |
| Sixteenth | Nate Boulton | Forty-Second | Rich Taylor |
| Eighteenth | Janet Petersen | Forty-Fourth | Thomas A. Greene |
| Twentieth | Brad Zaun | Forty-Sixth | Mark S. Lofgren |
| Twenty-Second | Charles Schneider | Forty-Eighth | Dan Zumbach |
| Twenty-Fourth | Jerry Behn | Fiftieth | Pam Jochum |
| Twenty-Sixth | Waylon Brown | | |

(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 twenty-first day of December, 2016.

PAUL D. PATE
Secretary of State

ELECTION OF PRESIDENT

Senator Whitver 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-eighth 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 appeared before the rostrum and took the oath of office administered by Chief Justice Mark S. Cady.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Whitver placed in nomination the name of Senator Jerry Behn of Boone County as a candidate for the office of President Pro Tempore for the Senate for the Eighty-eighth General Assembly.

There being no further nominations, the Chair put the question to the Senate, and Senator Behn was unanimously elected by a voice vote.

Senator Behn appeared before the rostrum and took the oath of office. President Schneider presented President Pro Tempore Behn to the Senate.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Schneider addressed the Senate with the following remarks:

Good morning.

Welcome to the First Session of the 88th General Assembly.

I would like to offer a special welcome to the new members of the Iowa Senate – Senator Whiting, Senator J. Smith, Senator Nunn, Senator Celsi, Senator Koelker, Senator T. Taylor, Senator Wahls, Senator Miller-Meeks and Senator Cournoyer.

It strikes me the new members hold almost 1 in 5 seats of this body. This is a positive sign that Iowans are willing to give their time and talents at the state Capitol in the service of their neighbors. While this is a sacrifice for some, especially those who come from the far corners of our state, I can speak for those who have served in this chamber before when I say it is also extremely humbling and a unique honor to serve the people of this state in the Iowa Senate. I wish you all the best during this General Assembly.

I am proud to say Iowa is thriving. Our state boasts the lowest unemployment rate in the country. Thanks in part to the reforms passed during the last General Assembly, Iowans' incomes are rising, their taxes are shrinking, and our economy is growing.

Most of you have probably heard that US News & World Report ranked Iowa the #1 state in the country. This recognition is something we should all be proud of. After all, it didn't come about because of one General Assembly. It is something that we have worked on collectively over many years, and through split control of government.

Being #1 doesn't give us the freedom to rest on our laurels. Iowa may be the #1 state in America today, but the other 49 states are looking for opportunities to make their states more desirable. Becoming the best hard, but it's more difficult to stay there.

Being #1 does not mean that we have achieved perfection. We still face many challenges: brain drain; workforce training; improving our business climate; improving student achievement in education; enhancing our quality of life. Most of us would agree that these are all areas that need our attention. I believe we are up to the challenge.

Addressing some of these challenges means getting government out of the way. Taxes that hinder growth will result in fewer jobs, lower incomes, and less economic development.

We need to find ways to continue to reduce the tax burden on hardworking Iowans – particularly when it comes to property taxes, which have an unfair, disparate impact on Iowans who live on fixed incomes, like many seniors.

Regulations and job licensing requirements can go too far. Some regulations and requirements are necessary for public health or safety reasons. But if they go too far, they can trap the unwary in debt and discourage people with ambition from taking a chance to start a business or a new career, crushing the American dream.

Addressing some of these challenges requires government involvement. We must continue to invest in education and workforce development if we want to ensure that all Iowans are able to share in the state's success. We must ensure we have a safety net for those who are most in need.

As we make these and other investments, we need to remember that taxpayers expect us to use their tax dollars wisely. Doing so requires setting priorities.

I look forward to working with my colleagues in the Senate, and with the House and Governor Reynolds, to address these challenges. It won't be easy, but I have faith in our ability to overcome adversity.

Part of my faith lies in our proud tradition of being a true citizen legislature. In this chamber today, virtually none of us is a career politician. Many of us leave our regular occupations as farmers, teachers, lawyers, or business owners to serve in the state capitol. We know that we need to get our work done so we can return to our normal lives.

I hope this means the Iowa Senate can operate without the harsh partisanship that is infecting our current political discourse. For too many politicians, politics has become a sport. Some politicians focus on supporting their own team, or furthering their own ambitions, rather than shaping good public policy. When that happens, discourse suffers.

As we all know, it is a violation of a long-time Senate rule to question the motives of another senator on the floor. The rule justifiably recognizes what we sometimes forget – every senator deserves the benefit of the doubt when it comes to his or her motives on an issue. I believe that every person here decided to run because they have the best interests of their constituents in mind. I believe that is what drives the passion each of us has for the work we do here. I hope we can all aspire to keep this in mind as we go through this legislative session.

As elected officials and leaders of our state, we have a responsibility to bring people together. The time for drawing contrasts is over. The time to govern has arrived. We are all Iowans. We are all here to make our state a better place for our families, neighbors and communities. Now is the time to come together and focus on Iowa's future.

I wish everyone in this chamber, including the staff, clerks and pages, a happy, healthy and productive legislative session. I look forward to working with all of you to continue the success of our state.

REMARKS BY THE MINORITY LEADER

Senator Petersen addressed the Senate with the following remarks:

Thank you, President Schneider.

Welcome to the Iowa Senate and the beginning of the 2019 Legislative Session.

Welcome back to our returning Senators and staff and a warm welcome to our new Senators, pages, clerks and staff.

The Iowa Senate has called this chamber home for more than 130 years.

The laws and budgets we pass or don't pass this session have the ability to impact the lives of every Generation living in our state today – and Generations who will be sitting in our chairs long after we are gone.

We have six generations represented in this chamber – the Greatest Generation, the Silent Generation, Baby Boomers, Generation X, Millennials, and even Generation Z with our Senate Pages.

I fall into the category of Generation X. I have seen how public policies and leaders can shape our lives and even impact our future.

My pathway to public service began with my mom – a member of the Silent Generation.

She is the youngest of 10 children. Her mom, my grandma, was born in 1891. My grandparents had children in public schools for nearly 50 consecutive years and each one of them graduated from high school.

With 10 kids, you can imagine, my maternal grandparents didn't have much money. Social Security wasn't offered to farm families until the mid-1950s when my mom was in high school.

When the federal government made a decision to let farmers and domestic workers sign up for Social Security – my mom took her parents to the nearest city to apply.

My grandma was born before the state of Missouri kept birth records so she brought a family Bible that had her birthdate written in it and letters attesting to its accuracy from her living siblings. Fortunately, the federal government accepted it as proof. It was Social Security and Medicare that gave my grandma enough economic security to stay in her home until she was 97. It also allowed her children to focus forward on the financial needs of their own families instead of worrying about their mom.

My mom got to go to college thanks to small acts of kindness from people who wanted to help her succeed.

My uncle Earl was one of those people. He is a quiet, unassuming man – a retired pig farmer who lives in Bedford, Iowa.

As a new farmer, he gave his little sister an old sow and told her she could have the litter. That helped pay for a year of her college.

My grandpa made a similar deal with her another year.

And a woman from Bedford who had taught home ec at my mom's high school just across the state line in Missouri encouraged my mom to go to college, and offered her an interest-free loan. My mom took her up on her offer and borrowed \$300, which she paid back before she graduated.

My mom was lucky. College was within reach for families – even if you grew up without means. And she had amazing public school teachers who pushed her to follow her dreams.

We must work together to put the opportunity to go to college and community college back in the hands of more Iowa families. And we cannot afford to strap our Millennials and Generation Z with student debt – that holds them back from getting married, starting a family, and starting a new business.

My mom left Missouri and moved to Iowa for a job – as a high school home ec teacher in Brooklyn. There, she met my dad – the ag teacher. Unlike my mom, my dad was an only child. My grandparents met on my grandpa's family farm in Denmark while they were teenagers.

My grandpa dreamed of coming to the United States and at 22 he left Denmark and made his way to West Branch to farm. Five years later, he had enough money to go back to Denmark to ask my grandma to marry him. This was just a few years before WWII.

My grandma followed my grandpa back to the United States two weeks later— not knowing a word of English. They spoke Danish at home and relied on public school teachers to help my dad learn English.

Immigrants make our state stronger. I am so proud to be the granddaughter of immigrants. I am proud of the financial assistance other immigrants offered me in the form of a college scholarship. I am also proud of our state's reputation of supporting refugees. Democrats stand ready to work on immigration policy that will help our state's economy and continue its reputation of being a welcoming place to live.

My parents taught school in Brooklyn and Pella before Pioneer Hi-Bred recruited my dad away from teaching to Des Moines when my mom was pregnant with me.

Three years later, my mom would find herself a single parent with two young girls to raise after losing my dad to cancer.

My sister Barb and I are so grateful our mom had an education to fall back on when she needed to re-enter the workforce to keep our family out of poverty. Democrats believe public education is the great equalizer.

As my mom looked for work, the minister at our church, Jim Kratz, encouraged her to apply for a new job – as a lobbyist for a coalition of various faith communities who were coming together to push social justice policies.

I watched her spend her career standing up for people and being a strong voice for people who needed it most.

Each generation is impacted by previous generations...

Both of my grandmas were born before women had the right to vote.

Today, just two generations later in my family – I serve as a leader in the Iowa Senate, and our state has its first elected female governor, we have gender balance in our federal delegation in Washington, DC, and more women than ever before are serving in the Iowa Legislature.

Next year, 2020, will mark the 100th anniversary of women's right to vote. **Let's put Iowans at the front of the line in elections.** IT IS TIME to expand voting rights for our next generation. Let's restore voting rights for felons. Let's help every Iowa teen-ager, angler, hunter, taxpayer and new citizen get automatic voter registration. We should be doing all we can to make Iowa the #1 voting state in the nation to go along with our status as the first caucus state in the nation.

We can make this happen.

My grandpa was born the year the bicycle was invented. My grandma was born the year before the first gasoline-powered tractor was invented in Clayton County, Iowa.

My parents were born the same year as Iowa State University (then Iowa State College) built the first automatic electronic digital computer that weighed 700 pounds. I was born the same year the pocket calculator was invented and my youngest was born the year the iPhone was invented.

Getting electricity to rural areas was the issue of my grandparents' generation.

Let's help more Iowans enjoy the many advantages of innovative renewable energy and renewable fuels – to help lower their utility bills and reduce our dependence on foreign oil. Unfortunately, last year's energy power grab legislation pushed by Republican lawmakers, the Governor and government-protected energy monopolies shoved Iowans to the back of the line, making energy efficiency less accessible to hard-working Iowans and seniors.

Communications is one of the biggest infrastructure needs of our time. No matter where you live in Iowa, you should have access to technology. Let's make a commitment to put Iowans at the front of the line for access to technology before another multi-billion dollar company gets access to another big check from the economic development cookie jar.

Let's put workers and businesses begging for a bigger, more skilled workforce at the front of the line this year. Democrats will be at the center of the fight to fully fund job training programs and apprenticeships that help Iowa workers get better opportunities for a decent life and human dignity.

Instead of campaign rhetoric and empty promises, we need to offer Iowans a brighter future. It's time to give Iowans a raise, provide equal pay for equal work, safe pregnancy accommodations in the workplace, affordable safe child care options, and let's quit sticking it to Iowa taxpayers to subsidize low-wage employers who don't pay enough for their employees to have a decent place to live and enough money to feed their families. Democrats stand ready to reward businesses that put their employees at the front of the line.

When we put people at the front of the line, good things can happen.

Instead of "reforming" stuff that isn't broken, let's fix the things that are broken like...

Medicaid Privatization – Let's finally get honest answers and more accountability for Iowa Medicaid recipients, health care providers and taxpayers.

Protecting our Children – It shouldn't be too much to ask to put our kids at the front of the line.

Today, I renew my call to get rid of the Statute of Limitations that puts the rights of serial predators ahead of survivors. As William Paul Young, author of "The Shack," once said: *"I don't think there is anything that is the equivalent of sexual abuse that tears apart the fabric of the human soul. It empowers the lies of shame."*

Let's Care for Our Seniors

There's no reason to push seniors to the back of the line by "fixing" or "tweaking" a retirement system doesn't need to be fixed. Hard-working Iowans deserve retirement security.

Let's Keep Our Promises

Let's keep our promises by fully funding the water quality initiative and mental health expansion...and let's not renege on any promises that will result in higher property taxes for homeowners!!!

And let's restore safe health care for women

Republicans "reformed" family planning program has not improved access – in fact, participation has dropped more than 70 percent. Democrats stand ready to help women – especially those in rural areas and small towns – get access to affordable health care.

When we lift up Iowans, we create a better society for all.

Finally, I renew my commitment today to Senators Whitver and Schneider to continue working in a bipartisan manner to make the Iowa Capitol a safe environment for everyone. That includes making appropriate changes to the Senate's Code of Ethics and Harassment Prevention Policy to ensure better pathways to justice.

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. I promise to listen, to learn and to fight for bluer skies in Iowa's future.

Now, let's get to work!!

REMARKS BY THE MAJORITY LEADER

Senator Whitver addressed the Senate with the following remarks:

Thank you Mr. President.

Mr. President, Senators, staff, families, and friends—Good morning and welcome to the 88th General Assembly of the Iowa Legislature.

It is great to be back today in this historic chamber, and great to see so many friends and colleagues. We are a citizen legislature, here from all walks of life. We are mothers, fathers, grandparents, small business owners, and farmers, to name a few. We bring a variety of experiences to the table, and represent even more back in our home districts. We are here to represent the interests of everyone who has the privilege of calling our great state home.

To our nine new members in this chamber, I want to welcome you to the Iowa Senate. I wish you the best as you are sworn in and represent your respective districts. My hope for you as you begin your time serving in the Iowa Senate is that you never forget WHY you ran. No matter if you serve one term, or 5 terms, it is extremely important to always remember why you first put your name on the ballot.

And, that is a question I would ask all of you here in this room...why is it that you first ran for office. What is your WHY?

As I begin my (first session) as Majority Leader and have been thinking a lot about our agenda for the upcoming session, it is a question I have found myself thinking a lot about lately.

I am blessed to have my wife and children here today. For years, when my kids asked me what we do in the Iowa Senate, I always said “We make laws.” Last week, my oldest daughter Ella asked me what we do in the Senate and I had a different answer. I told her, “We work to make your life better.” Shortly after saying that, it struck me.....We are not here to change laws; we are here to change lives.

Our mission is simple: Improve the lives of Iowans through challenging the status quo and reforming Iowa for the next generation.

Looking toward the next generation is extremely important to me. Not just because I have three young children of my own, but because too often politicians are too worried about the next election to think about the next generation.

This should never be the case. *As we begin our 2019 session, our focus should not be on the next election; instead we must look toward lifting up our next generation.*

When I think about the last two years, I often think about a quote I first heard while in business school at Iowa State—from a best-selling business author—he said, “Greatness is not a matter of circumstance, greatness is a choice.”

Over the past two years, this body has CHOSEN greatness. We have made a conscious decision to make our state the Number One state in the nation. We have made tough decisions, taken political risks - we have chosen greatness for the state of Iowa.

Those choices are not always easy. Often in politics, the greatest challenge is not finding the solution. We often know what the solution is. The greatest challenge is finding the political will to make it happen.

I am proud this body has shown the political will to make those tough decisions.

Two years ago, we set out to implement a better job climate in the state of Iowa. Today, we have THE LOWEST unemployment rate in the entire nation. We went from a state asking “where are the jobs” to a state asking “where are the workers?”

Two years ago, we set out to improve our educational system in the state of Iowa. Today, schools have more local control over their school districts; have more flexibility with the financial resources we give them and more funding for transportation in our rural districts.

Two years ago, we inherited a budget with a \$113 million deficit. Today we have a balanced budget, our cash reserves are full, and we have an expected surplus of over \$196 million in the current budget year.

Two years ago, we had one of the highest tax burdens in America. Last year we passed historic tax reform resulting in the largest tax cut in Iowa history for hard-working Iowans.

Additionally over the past two years we have passed mental health reform, water quality legislation, tort reform, strengthened Iowans 2nd Amendment rights, and protected the sanctity of life.

The past two years have been the most productive and historic two years this state has ever seen. It is hard to argue with the results—we were named the Number One state in the nation by US News and World Report.

As I traveled the state this last election cycle meeting with Iowans, we talked about the progress we have made. At every stop, I said that this last election would be a defining moment in the history of our state - where the people would decide which direction we want to go and what kind of state we want to be.

I am grateful the people of Iowa have given us the responsibility and honor of continuing to lead in the Iowa Senate. They expect us to step up to make tough decisions and continue down the path that has made us Number One. We are grateful the voters have joined us in choosing greatness for the state of Iowa!

Now, as we look toward the upcoming session, we will continue to deliver bold action to build our workforce, continue to reduce taxes, and reduce government dependence in our state.

We will continue to be dedicated to our pro-growth agenda for Iowa—growth for our businesses, growth for our schools, and growth for our rural and urban areas.

We are devoted to the Iowans who elected us to this chamber and we are committed to keeping the promises we made on the campaign trail.

We will continue to challenge the status quo and continue to push reforms that will keep us as the Number One state in the nation.

I am honored to serve as the majority leader of Iowa Senate, and look forward to working with each and every one of you to make Iowa the best we can.

Let's get to work!

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Whitver 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 Breitbach, Chair; Kinney and Segebart.

COMMITTEE TO NOTIFY THE HOUSE

Senator Whitver 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 Johnson, Chair; Lofgren and R. Taylor.

ASSIGNMENT OF PRESS SEATS

Senator Whitver moved that the Secretary of the Senate be authorized to assign seats for the use of the representatives of the news media and that appropriate badges be provided for use by those representatives.

The motion prevailed by a voice vote.

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.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:55 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 11:02 a.m., President Schneider presiding.

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

Senator Whitver 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 individuals as permanent officers and employees of the Senate for the 2019 Session of the Eighty-eighth General Assembly:

Secretary of the Senate W. Charles Smithson

Administrative

Sr. Administrative Services Officer Kay Brandt
 Administrative Services Officer II Cindy Meyerdirk
 Administrative Services Officer II Maureen Taylor

Finance

Senior Finance Officer III Lois Brownell

Indexing

Sr. Administrative Services Officer Kathy Olah

Journal

Administrative Services Officer II Angela Cox
 Administrative Services Officer I Jennifer Beminio

Legal Counsel's Office

Assistant Secretary of the Senate III Janet Hawkins
 Administrative Services Officer I Michelle Bauer

President of the Senate's Office

Sr. Administrative Assistant to President Andy Conlin
 Administrative Assistant to President III Chris Dorsey

Republican Caucus

Sr. Administrative Assistant to Leader II Mary Earnhardt
 Sr. Administrative Assistant to Leader Caleb Hunter
 Caucus Staff Director Gannon Hendrick
 Sr. Legislative Research Analyst Thomas Ashworth
 Sr. Legislative Research Analyst Pamela Dugdale
 Sr. Legislative Research Analyst Russ Trimble
 Legislative Research Analyst III Josh Bronsink
 Legislative Research Analyst II Bob Bird
 Legislative Research Analyst I Jacob Heard
 Legislative Research Analyst I Larissa Wurm-Skipworth
 Legislative Research Analyst Jillian Carlson
 Legislative Research Analyst Dylan Keller
 Legislative Research Analyst Megan Schlesky
 Executive Secretary to Leader Emily Schwickerath

Democratic Caucus

| | |
|--|-------------------|
| Sr. Administrative Assistant to Leader II..... | Eric Bakker |
| Sr. Administrative Assistant to Leader II..... | Debbie Kattenhorn |
| Sr. Caucus Staff Director | Ron Parker |
| Sr. Legislative Research Analyst..... | Kris Bell |
| Sr. Legislative Research Analyst..... | Catherine Engel |
| Sr. Legislative Research Analyst..... | Sue Foecke |
| Sr. Legislative Research Analyst..... | Bridget Godes |
| Sr. Legislative Research Analyst..... | Rusty Martin |
| Sr. Legislative Research Analyst..... | Jace Mikels |
| Sr. Legislative Research Analyst..... | Kerry Scott |
| Sr. Legislative Research Analyst..... | Erica Shorkey |
| Sr. Legislative Research Analyst..... | Julie Simon |

Sergeant-at-Arms

| | |
|---------------------------|------------------|
| Sergeant-at-Arms I..... | Jerry Carlson |
| Sergeant-at-Arms II | Bill Krieg |
| Doorkeeper | Lemuel Anderson |
| Doorkeeper | Sam Crowe |
| Doorkeeper | Sharon Kimberlin |
| Doorkeeper | Frank Loeffel |
| Doorkeeper | Dylan Nelson |
| Doorkeeper | Brittan Ostby |

Services

| | |
|----------------------------|------------------|
| Switchboard Operator | Jo Ann Larson |
| Switchboard Operator | Christine Porter |
| Postmistress | Leila Carlson |
| Lobbyist Clerk..... | Kathy Stachon |

JACK WHITVER, Chair

Senator Whitver 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 THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Breitbach 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.

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Johnson 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.

APPOINTMENT OF SENATE SECRETARIES

Senator Whitver 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 individuals as secretaries to senators for the 2019 Session of the Eighty-eighth General Assembly:

| | |
|---------------------------|--------------------|
| ALTENDORF, John | GREENE, Thomas |
| ARCHER, Victoria | CARLIN, Jim |
| ARNDT, Kathryn | FEENSTRA, Randy |
| BAILEY, Robert | DOTZLER, William |
| BOND, Cassie | SHIPLEY, Tom |
| BURNETT, Anne Marie | JOCHUM, Pam |
| CARPENTER, Joshua | SCHNEIDER, Charles |
| ELLETT, Kathy | LYKAM, Jim |
| ELLIOTT, Judith | BOULTON, Nate |
| FREEMAN, Alex | NUNN, Zach |
| FREEMAN, Beth | MATHIS, Liz |
| GARRETT, Nancy | GARRETT, Julian |
| GENEST, Carrie | SMITH, Roby |
| GROVE, Sue | SEGEBART, Mark |
| GUTH, Margaret | GUTH, Dennis |
| HALLERAN, Tanner | KINNEY, Kevin |
| HANSEN, Linda | WAHLS, Zach |
| HARMON, Anna | BISIGNANO, Tony |
| HAWS, Claire | PETERSEN, Janet |
| HEARTSILL, Greg | WHITING, Zach |
| HILDRETH, Theresa | BROWN, Waylon |
| HOEPPNER, Rebecca | QUIRMBACH, Herman |
| HOLLINRAKE, John | COURNOYER, Chris |
| HOLLINRAKE, John | KOELKER, Carrie |
| HUHN, Marce | BEHN, Jerry |
| KRAAYENBRINK, Sally | KRAAYENBRINK, Tim |
| KRIEGEL, Tammy | KAPUCIAN, Tim |
| LARSON, Brody | SCHULTZ, Jason |
| LEDFORD, Haley | DAWSON, Dan |
| LONG, Jennifer | JOHNSON, Craig |
| MOORE, Sarah | CHAPMAN, Jake |

| | |
|----------------------------|---------------------------|
| OGLE, Nate | CELSI, Claire |
| PETERSON, Kathy | DANIELSON, Jeff |
| PILLARD, Logan | SMITH, Jackie |
| RAHN-OAKES, Meredith | RAGAN, Amanda |
| ROUSE, Paul | SWEENEY, Annette |
| SCOTT, Hannah | HOGG, Robert |
| SINCLAIR, Mitch | SINCLAIR, Amy |
| SMITH, Morgan | EDLER, Jeff |
| STEARNS, Beth | COSTELLO, Mark |
| TAYLOR, Annette | TAYLOR, Rich |
| TEN PAS, Regina | ROZENBOOM, Ken |
| VAN KIRK, Emily | BOLKCOM, Joe |
| VEATCH, Bailey | MILLER-MEEKS, Mariannette |
| WALKER, Zeke | LOFGREN, Mark |
| WENGERT, Susie | TAYLOR, Todd |
| WILLEY, Barbara | BREITBACH, Michael |
| ZAUN, Dede | ZAUN, Brad |
| ZUMBACH, Michelle | ZUMBACH, Dan |
| ZUMBACH, Alex | SHIPLEY, Tom |

JACK WHITVER, Chair

Senator Whitver moved the adoption of the report and appointment of the foregoing Senate secretaries.

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

APPOINTMENT OF PAGES

Senator Whitver 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 2019 Session of the Eighty-eighth General Assembly:

Jackson Birdwell, Altoona
 Seth Fiala, Van Meter
 Kate Hapgood, Johnston
 Piper LaGrange, Amana
 John Meis, Algona
 Ami Penquite, Altoona
 Brooklyn Price, Winterset
 Ellie Reece, Forest City
 Samuel Sampson, Ankeny
 Ben Theuma, Des Moines

JACK WHITVER, Chair

Senator Whitver 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.

COMMITTEE ON MILEAGE

Senator Whitver moved that a committee of four be appointed as the committee on mileage.

The motion prevailed by a voice vote, and the Chair appointed as such committee Senators Kraayenbrink, Chair; Danielson, Lykam, and Shipley.

MOTION ON CHAPLAINS

Senator Whitver moved that the Secretary of the Senate be authorized to coordinate the scheduling of chaplains for the Senate during the Eighty-eighth General Assembly, which motion prevailed by a voice vote.

TELLERS FOR JOINT CONVENTION

Senator Whitver moved that a committee of three be appointed tellers to assist in the canvassing of the vote for Governor and Lieutenant Governor at a joint convention to be held for that purpose.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators R. Smith, Chief Teller; Mathis and Rozenboom, Assistant Tellers.

SELECTION OF SEATS

The Chair announced the next order of business would be the selection of seats.

Senator Whitver moved that the holdover and re-elected senators who participated in seat selection in 2017 be granted the privilege of selecting new seats in order of seniority from unassigned seats; that the re-elected senators first elected during the 2019 session be granted the privilege of selecting their seats from the unassigned seats

according to their seniority; that former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats according to seniority; and that first, the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed by a voice vote.

The Secretary of the Senate called the roll, and seat selections were made as follows:

| <u>NAME</u> | <u>SEAT NO.</u> |
|-------------------------------|-----------------|
| Behn of Boone | 40 |
| Bisignano of Polk | 35 |
| Bolkcom of Johnson | 41 |
| Boulton of Polk | 07 |
| Breitbart of Clayton | 36 |
| Brown of Mitchell | 10 |
| Carlin of Woodbury | 34 |
| Celsi of Polk | 13 |
| Chapman of Dallas | 30 |
| Costello of Mills | 20 |
| Cournoyer of Scott | 23 |
| Danielson of Black Hawk | 45 |
| Dawson of Pottawattamie | 12 |
| Dotzler of Black Hawk | 05 |
| Edler of Marshall | 18 |
| Feenstra of Sioux | 42 |
| Garrett of Warren | 21 |
| Greene of Des Moines | 32 |
| Guth of Hancock | 22 |
| Hogg of Linn | 11 |
| Jochum of Dubuque | 37 |
| Johnson of Buchanan | 01 |
| Kapucian of Benton | 48 |
| Kinney of Johnson | 33 |
| Koelker of Dubuque | 25 |
| Kraayenbrink of Webster | 24 |
| Lofgren of Muscatine | 17 |
| Lykam of Scott | 31 |
| Mathis of Linn | 29 |
| Miller-Meeks of Wapello | 49 |
| Nunn of Polk | 16 |
| Petersen of Polk | 43 |
| Quirnbach of Story | 03 |
| Ragan of Cerro Gordo | 39 |
| Rozenboom of Mahaska | 50 |
| Schneider of Dallas | 08 |

| | |
|-----------------------------|----|
| Schultz of Crawford | 04 |
| Segebart of Crawford | 02 |
| Shipley of Adams | 26 |
| Sinclair of Wayne | 28 |
| Smith, J. of Woodbury | 27 |
| Smith, R. of Scott | 44 |
| Sweeney of Hardin | 14 |
| Taylor, R. of Henry | 47 |
| Taylor, T. of Linn | 09 |
| Wahls of Johnson | 15 |
| Whiting of Dickinson | 19 |
| Whitver of Polk | 38 |
| Zaun of Polk | 06 |
| Zumbach of Delaware | 46 |

RECESS

On motion of Senator Whitver, the Senate recessed at 11:33 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:39 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 January 14, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution to provide for joint conventions.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 1.

House Concurrent Resolution 1

On motion of Senator Whitver, **House Concurrent Resolution 1**, a concurrent resolution to provide for joint conventions, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 1, which motion prevailed by a voice vote.

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 January 14, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, a concurrent resolution relating to the appointment of a joint inaugural committee.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 2.

House Concurrent Resolution 2

On motion of Senator Whitver, **House Concurrent Resolution 2**, a concurrent resolution relating to the appointment of a joint inaugural committee, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 2, which motion prevailed by a voice vote.

APPOINTMENT OF JOINT INAUGURAL COMMITTEE

Pursuant to House Concurrent Resolution 2, President Schneider announced the appointment of Senators Kapucian, Sweeney, Sinclair, Ragan, Jochum, and Mathis as members of a joint inaugural committee.

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 January 14, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, a concurrent resolution to provide for a joint convention.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 3.

House Concurrent Resolution 3

On motion of Senator Whitver, **House Concurrent Resolution 3**, a concurrent resolution to provide for a joint convention, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 3, which motion prevailed by a voice vote.

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 January 14, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, a concurrent resolution to provide for a joint convention.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 4.

House Concurrent Resolution 4

On motion of Senator Whitver, **House Concurrent Resolution 4**, a concurrent resolution to provide for a joint convention, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 4, which motion prevailed by a voice vote.

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 January 14, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution to provide for a joint convention.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 5.

House Concurrent Resolution 5

On motion of Senator Whitver, **House Concurrent Resolution 5**, a concurrent resolution to provide for a joint convention, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Concurrent Resolutions 1, 2, 3, 4, and 5** be **immediately messaged** to the House.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that pursuant to law the House was ready to receive the Senate in joint session for the purpose of canvassing the vote for the Governor and Lieutenant Governor.

President Schneider moved that the Senate proceed to the House chamber in accordance with House Concurrent Resolution 1, duly adopted.

The motion prevailed by a voice vote and the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order at 2:14 p.m., President Schneider presiding.

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

CANVASS OF VOTES

President Schneider announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 6, 2018, and announced as Chief Teller on the part of the Senate, Senator R. Smith, and assistant tellers, Senators Mathis and Rozenboom; and as Chief Teller on the part of the House, Representative Jacobsen, and assistant tellers, Representatives Jeneary and Oldson.

President Schneider further announced that, in accordance with statute, the six tellers just named would constitute the judges of said canvass.

The joint convention stood at ease at 2:15 p.m., until the fall of the gavel.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 6, 2018.

The joint convention resumed session at 2:35 p.m.

Senator Whitver moved that the joint convention be dissolved.

The motion prevailed by a voice vote and the joint convention was dissolved.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:36 p.m. until 9:00 a.m., Tuesday, January 15, 2019.

APPENDIX

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Section 2.10, Code 2019, the following has been determined to be the mileage to which Senators are entitled for the Eighty-eighth General Assembly:

| <u>NAME</u> | <u>ROUND TRIP MILES</u> |
|--------------------------------|-------------------------|
| BEHN, Jerry | 94 |
| BISIGNANO, Anthony | 0 |
| BOLKCOM, Joe | 234 |
| BOULTON, Nate | 0 |
| BREITBACH, Michael..... | 366 |
| BROWN, Waylon | 300 |
| CARLIN, Jim | 400 |
| CELSI, Claire..... | 22 |
| CHAPMAN, Jake..... | 66 |
| COSTELLO, Mark..... | 276 |
| COURNOYER, Chris..... | 350 |
| DANIELSON, Jeff..... | 252 |
| DAWSON, Dan. | 260 |
| DOTZLER, William | 260 |
| EDLER, Jeff | 94 |
| FEENSTRA, Randy | 492 |
| GARRETT, Julian..... | 54 |
| GREENE, Thomas..... | 342 |
| GUTH, Dennis | 204 |
| HOGG, Robert M. | 260 |
| JOCHUM, Pam | 400 |
| JOHNSON, Craig | 304 |
| KAPUCIAN, Tim | 180 |
| KINNEY, Kevin | 200 |
| KOELKER, Carrie..... | 380 |
| KRAAYENBRINK, Tim | 200 |
| LOFGREN, Mark..... | 298 |
| LYKAM, Jim | 330 |
| MATHIS, Liz..... | 264 |
| MILLER-MEEKS, Mariannette..... | 176 |
| NUNN, Zach..... | 0 |
| PETERSEN, Janet | 0 |
| QUIRMBACH, Herman | 75 |
| RAGAN, Amanda..... | 240 |
| ROZENBOOM, Ken..... | 134 |
| SCHNEIDER, Charles | 0 |
| SCHULTZ, Jason..... | 282 |
| SEGEbart, Mark..... | 228 |
| SHIPLEY, Tom | 216 |
| SINCLAIR, Amy | 137 |
| SMITH, Jackie | 402 |
| SMITH, Roby | 334 |

SWEENEY, Annette.....146

TAYLOR, Rich296

TAYLOR, Tod.....248

WAHLS, Zach222

WHITING, Zach.....406

WHITVER, Jack0

ZAUN, Brad0

ZUMBACH, Dan.....344

TIM KRAAYENBRINK, Chair

JEFF DANIELSON

JIM LYKAM

TOM SHIPLEY

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

2019 SESSION

Seat No.

51. STAFF
52. DES MOINES REGISTER: Stephen Gruber-Miller, Barbara Rodriguez, and Brianne Pfannenstiel
53. THE ASSOCIATED PRESS: Catherine Lucey
54. RADIO IOWA NEWS NETWORK: O. Kay Henderson, Dar Danielson, and Pat Curtis
55. SINCLAIR BROADCAST GROUP : Caroline Cummings
56. DUBUQUE TELEGRAPH HERALD: Benjamin Fisher, Nicki Kohl, and Dave Kettering
57. IOWA LEGISLATIVE NEWS SERVICE: Jack Hunt and Barbara Hunt
58. THE CEDAR RAPIDS GAZETTE: Rod Boshart and James Lynch
59. SINGLE DAY VISITOR
60. LEE ENTERPRISES: Erin Murphy
61. IOWA PUBLIC RADIO: Katarina Sostaric and John Pemble
62. SINGLE DAY VISITOR
63. STAFF
64. WHO: Dave Price, Andy Fales, Sonya Heitshusen, Erin Kiernan, and Jannay Towne

REPORTS OF COMMITTEE MEETINGS

ETHICS

Convened: Thursday, December 20, 2018, 10:00 a.m.

Members Present: Behn, Chair; Guth, Vice Chair; Bolkom, Ranking Member; Costello, Jochum, and Kinney.

Members Absent: None.

Committee Business: Reviewed Ethics complaint.

Adjourned: 10:05 a.m.

RULES AND ADMINISTRATION

Convened: Monday, January 14, 2019, 10:55 a.m.

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

Members Absent: None.

Committee Business: Approved first day of session reports.

Adjourned: 11:00 a.m.

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

Biennial Report for DAS, pursuant to Iowa Code section 7A.3. Report received on September 28, 2018.

Condition of Affirmative Action, Diversity, and Multicultural Programs Report, pursuant to Iowa Code 19B.5(2). Report received on September 25, 2018.

Experimental Research Report, pursuant to Iowa Code section 8A.414. Report received on September 10, 2018.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 18, 2018.

Internal Service Fund Expenditure FY 2018 Report, pursuant to Iowa Code section 8A.123. Report received on September 28, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on August 30, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 18, 2018.

Solicitations for Capitol Complex Report, pursuant to Iowa Code section 8A.108. Report received on August 31, 2018.

DEPARTMENT ON AGING

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 14, 2018.

Exchange of Contact Information for Nursing Facility Residents Design Plan and Recommendations Report, pursuant to 2018 Iowa Acts, SF 2418. Report received on December 14, 2018.

Geriatric Patient Housing Review Report, pursuant to 2018 Iowa Acts, SF 2418. Report received on December 14, 2018.

Guardianship and Conservatorship Monitoring Pilot Project, pursuant to 2013 Iowa Acts, Chapter 138, section 52. Report received on December 19, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 19, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on December 19, 2018.

State Public Guardian's Report, pursuant to 2018 Iowa Acts, Chapter 1048, section 5. Report received on October 31, 2018.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Control of Pathogenic Viruses in Poultry Report, pursuant to Iowa Code section 165B.2. Report received on December 5, 2018.

Foreign Animal Diseases Afflicting Livestock Final Report, pursuant to 2017 Iowa Acts, SF 510, Chapter 168, section 27. Report received on January 11, 2019.

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on December 19, 2018.

ALCOHOLIC BEVERAGES COMMISSION

Alcoholic Beverage Control Study Report, pursuant to 2017 Iowa Acts, Chapter 170, section 27. Report received on June 28, 2018.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 19, 2018.

ATTORNEY GENERAL

Iowa Consumer Credit Code Annual Report, pursuant to Iowa Code section 537.6104. Report received on August 31, 2018.

AUDITOR OF STATE

Municipal Oversight Report, pursuant to Iowa Code section 11.6. Report received on January 14, 2019.

COMMISSION FOR THE BLIND

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 26, 2018.

Reversion Report–Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on December 26, 2018.

COLLEGE STUDENT AID COMMISSION

Annual Report, pursuant to 2017 Iowa Acts, Chapter 172, section 14. Report received on December 26, 2018.

College Student Aid Commission Tuition Grant Report, pursuant to Iowa Code section 261.15. Report received on October 4, 2018.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 261.9. Report received on December 17, 2018.

Health Care Loan Repayment Program Report, pursuant to 2018 Iowa Acts, SF 2415, section 20. Report received on October 10, 2018.

Iowa Minority Academic Grants for Economic Success Program Report, pursuant to Iowa Code section 261.104. Report received on October 5, 2018.

Iowa Vocational–Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17. Report received on December 26, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on October 5, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on October 5, 2018.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on October 5, 2018.

Scholarship and Tuition Grant Reserve Fund Report, pursuant to Iowa Code section 261.20. Report received on October 5, 2018.

Skilled Workforce Shortage Tuition Grant Program Report, pursuant to Iowa Code section 261.130. Report received on December 26, 2018.

Teacher Shortage Loan Forgiveness Program Report, pursuant to Iowa Code section 261.112. Report received on October 8, 2018.

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral Qtr 2 2018 Report, pursuant to Iowa Code section 12C.20. Report received on August 20, 2018.

Bank Required Collateral Qtr 3 2018 Report, pursuant to Iowa Code section 12C.20. Report received on November 13, 2018.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 4, 2018.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 4, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 2, 2019.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on August 1, 2018.

Qualified Student Loan Bond Issuer, pursuant to Iowa Code section 7C.13. Report received on January 8, 2019.

Superintendent of Banking Annual Report, pursuant to Iowa Code section 524.216. Report received on January 2, 2019.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 10, 2019.

Cemetery and Funeral Report, pursuant to Iowa Code section 523A.801. Report received on October 29, 2018.

Consumer Advocate Bureau Annual Report, pursuant to Iowa Code section 505.8. Report received on January 14, 2019.

Health Spending Costs Report, pursuant to Iowa Code section 505.18. Report received on January 14, 2019.

Iowa Cemetery Act Report, pursuant to Iowa Code section 523I.201. Report received on October 29, 2018.

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

Medical Malpractice Insurance Annual, pursuant to Iowa Code section 505.27. Report received on January 9, 2019.

DEPARTMENT OF CORRECTIONS

Annual Report, pursuant to Iowa Code section 904.115. Report received on December 14, 2018.

Geriatric Patient Housing Review Report, pursuant to 2018 Iowa Acts, SF 2418, section 117. Report received on December 14, 2018.

Interstate Compact for Adult Offender Supervision, pursuant to Iowa Code section 907B.2. Report received on October 11, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 4, 2019.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 29, 2018.

DEPARTMENT OF CULTURAL AFFAIRS

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 11, 2019.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2019.

BOARD OF DENTISTRY

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 17, 2018.

OFFICE OF DRUG CONTROL POLICY

2019 Iowa Drug Control Strategy Report, pursuant to Iowa Code section 80E.1(2)(b). Report received on November 1, 2018.

ECONOMIC DEVELOPMENT AUTHORITY

Financial Assistance Report, pursuant to 2018 Iowa Acts, HF 2493, section 4. Report received on December 21, 2018.

Iowa Commission on Volunteer Services 7/1/17–9/30/17 Quarterly Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on August 22, 2018.

Iowa Commission on Volunteer Services 10/1/17–12/31/17 Quarterly Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on August 22, 2018.

Iowa Commission on Volunteer Services 1/1/18–3/31/18 Quarterly Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on August 22, 2018.

Iowa Commission on Volunteer Services 4/1/18–6/30/18 Quarterly Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on August 29, 2018.

Iowa Commission on Volunteer Services 7/1/18–9/30/18 Quarterly Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on October 29, 2018.

Iowa Energy Center Annual Report, pursuant to 2017 Iowa Acts, Senate File 513, Chapter 169, section 35. Report received on January 14, 2019.

Iowa Innovation Corporation, pursuant to Iowa Code section 15.107. Report received on January 8, 2019.

Iowa Reading Corps FY 2017 Annual Report, pursuant to Iowa Code section 15H.7. Report received on January 8, 2019.

Iowa Reading Corps FY 2018 Annual Report, pursuant to Iowa Code section 15H.7. Report received on January 8, 2019.

RefugeeRise AmeriCorps Program FY 2018 Annual Report, pursuant to Iowa Code section 15H.8. Report received on December 21, 2018.

RefugeeRise AmeriCorps Program FY 2017 Annual Report, pursuant to Iowa Code section 15H.8. Report received on December 21, 2018.

DEPARTMENT OF EDUCATION

Antibullying Program Report, pursuant to 2018 Iowa Acts, Senate File 2415, Chapter 1163, section 4. Report received on January 14, 2019.

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10. Report received on November 15, 2018.

Child Development Coordination Council Annual Report, pursuant to Iowa Code section 256A.3. Report received on December 5, 2018.

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on December 14, 2018.

Condition of Education Annual Report, pursuant to Iowa Code section 256.7. Report received on January 14, 2019.

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14. Report received on January 14, 2019.

Enrich Iowa Program Report—Library Services Division, pursuant to Iowa Code section 256.57. Report received on January 14, 2019.

Home Base Iowa Postsecondary Education Report, pursuant to Iowa Code sections 260C.14, 261.9, and 262.9. Report received on December 26, 2018.

Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256.H.1(10)(o). Report received on November 13, 2018.

Iowa Autism Council Report, pursuant to Iowa Code section 256.35A. Report received on December 5, 2018.

Iowa Reading Research Center Annual Report, pursuant to Iowa Code section 256.9. Report received on January 14, 2019.

Job Placement of Individuals with Disabilities—Vocational Rehabilitation Division, pursuant to 2018 Iowa Acts, Senate File 2415, Chapter 1163, section 4. Report received on January 14, 2019.

Online Learning Workgroup Report, pursuant to 2018 Iowa Acts, SF 2131, Chapter 1029, section 3. Report received on October 8, 2018.

Senior Year Plus Program Report, pursuant to Iowa Code section 261E.3. Report received on January 14, 2019.

Special Education Federal Reports, pursuant to Iowa Code section 256B.3. Report received on July 16, 2018.

Student Health Workgroup Report, pursuant to 2018 Iowa Acts, SF 475, Chapter 1119, section 14. Report received on December 20, 2018.

Supplemental Assistance for High-Need Schools Report, pursuant to Iowa Code section 284.11. Report received on December 28, 2018.

BOARD OF EDUCATIONAL EXAMINERS

Administrative Rules Review–Triennial Report, pursuant to Iowa Code section 272.29. Report received on December 20, 2018.

Detailed Financial Report–Licensing Fees, pursuant to Iowa Code section 272.10. Report received on December 20, 2018.

Home Base Iowa–Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 13, 2018.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 19, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 19, 2018.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on December 19, 2018.

IOWA FINANCE AUTHORITY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 21, 2018.

Iowa Finance Authority Report, pursuant to Iowa Code section 16.7. Report received on December 21, 2018.

Reversion Report–Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on December 21, 2018.

Wastewater and Drinking Water Treatment Financial Assistance Program Itemized Expenditures, pursuant to 2017 Iowa Acts, SF 512, Chapter 1001, section 4. Report received on December 24, 2018.

HIGHER EDUCATION LOAN AUTHORITY

Annual Report, pursuant to Iowa Code section 261A.21. Report received on January 11, 2019.

HOMELAND SECURITY AND EMERGENCY MANAGEMENT

911 Status Report, pursuant to Iowa Code section 2017 Iowa Acts, SF 500, Chapter 136, section 9. Report received on January 8, 2019.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 14, 2018.

Iowa Flood Mitigation Board Annual Report, pursuant to Iowa Code 418.8. Report received on January 8, 2019.

Judicial Review report, pursuant to Iowa Code section 625.29. Report received on June 13, 2018.

DEPARTMENT OF HUMAN RIGHTS

Annual Report FY 2018, pursuant to Iowa Code section 216A.2. Report received on November 2, 2018.

Community Action Agencies Report, pursuant to Iowa Code section 216A.92(2)(d). Report received on July 9, 2018.

Correctional Policy Project Plans and Findings, pursuant to Iowa Code section 216A.137. Report received on November 26, 2018.

Family Development and Self-Sufficiency Grant Program Report, pursuant to Iowa Code section 216A.107(4)(e). Report received on November 21, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 13, 2018.

Public Safety Advisory Board Report, pursuant to Iowa Code section 216A.133A. Report received on November 26, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on September 14, 2018.

Sex Offender Research Council, pursuant to Iowa Code section 216A.139. Report received on January 14, 2019.

Twenty-year and Five-year Criminal and Juvenile Justice Plan, pursuant to Iowa Code section 216A.135. Report received on November 26, 2018.

DEPARTMENT OF HUMAN SERVICES

Annual Report, pursuant to Iowa Code section 217.21. Report received on December 13, 2018.

Assertive Community Treatment Reimbursements Rates Report, pursuant to 2018 Iowa Acts, Chapter 1056, section 21. Report received on December 14, 2018.

Autism Support Program Fund Report, pursuant to Iowa Code section 225D.2. Report received on December 14, 2018.

Child Abuse Registry Report, pursuant to Iowa Code section 235A.23. Report received on January 10, 2019.

Commitment Process Review Report, pursuant to 2018 Iowa Acts, Chapter 1056, section 17. Report received on December 31, 2018.

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13. Report received on January 10, 2019.

Direct Care Worker in Nursing Facilities Turnover Report, pursuant to 2008 Iowa Acts, Chapter 1188, section 71. Report received on November 13, 2018.

Disaster Case Management Fund and Program Report, pursuant to Iowa Code section 29C.20B. Report received on December 14, 2018.

Drug Utilization Report, pursuant to Iowa Code section 249A.24. Report received on September 13, 2018.

Family Support Subsidy and Children at Home Program Report, pursuant to Iowa Code section 225C.42. Report received on September 5, 2018.

HAWK-I Board Report, pursuant to Iowa Code section 514I.5. Report received on December 10, 2018.

Health Home Programs Workgroup Report, pursuant to 2018 Iowa Acts, SF 2418, Chapter 128, section 3. Report received on December 10, 2018.

Hospital Health Care Access Trust Fund Report, pursuant to Iowa Code section 249M.4. Report received on December 13, 2018.

Independent Living Services Report, pursuant to Iowa Code section 234.35. Report received on December 18, 2018.

Iowa Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A. Report received on December 14, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 4, 2019.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 13, 2018.

Mandatory Reporter Training and Certification Workgroup Report, pursuant to 2018 Iowa Acts, SF 2418, section 92. Report received on December 10, 2018.

Medicaid Level of Care Determinations Review, pursuant to 2018 Iowa Acts, SF 2418, section 128. Report received on December 10, 2018.

Medicaid Managed Care Oversight Annual Report July 2017–June 2018, pursuant to 2016 Iowa Acts, Chapter 1139. Report received on January 7, 2019.

Medicaid Managed Care Oversight Quarterly Meeting Minutes SFY 2018 Qtr 4, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on October 10, 2018.

Medicaid Managed Care Oversight Quarterly Meeting Minutes SFY 2019 Qtr 1, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on November 13, 2018.

Medicaid Managed Care Oversight SFY 2018 October–December Qtr 2 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139. Report received on July 17, 2018.

Medicaid Managed Care Oversight SFY 2018 January–March Qtr 3 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139. Report received on July 17, 2018.

Medicaid Managed Care Oversight SFY 2018 April–June Qtr 4 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139. Report received on October 23, 2018.

Medicaid Managed Care Oversight SFY 2019 July–September Qtr 1 Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139. Report received on January 7, 2019.

Medical Assistance Act Report, pursuant to Iowa Code section 249A.4. Report received on December 13, 2018.

Medical Assistance Advisory Council Executive Committee Findings and Recommendations Final Report, pursuant to 2018 Iowa Acts, SF 2418, section 131. Report received on January 7, 2019.

Mental Health and Disabilities Services Annual Report, pursuant to Iowa Code section 225C.6. Report received on January 2, 2019.

Mental Health and Disabilities Services Biennial Report, pursuant to Iowa Code section 225C.6. Report received on December 17, 2018.

Mental Health Services for Children and Youth Report, pursuant to Iowa Code section 225C.54. Report received on December 31, 2018.

Non-State Government-Owned Nursing Facility Upper Payment Limit Supplemental Payment Program Report, pursuant to 2017 Iowa Acts, HF 653, Chapter 174, section 113. Report received on August 29, 2018.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4. Report received on January 4, 2019.

Payment of Nursing Facility Room and Board Expenses Options Report, pursuant to 2018 Iowa Acts, HF 2309, Chapter 1038, section 1. Report received on October 1, 2018.

Preferred Drug List Program Report, pursuant to Iowa Code section 249A.20A. Report received on September 6, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on December 13, 2018.

State Engagement in the Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program Workgroup Report, pursuant to 2018 Iowa Acts, SF 2418, section 12. Report received on December 11, 2018.

Summary of Services Implemented by Each Mental Health and Disability Services Region, pursuant to 2017 Iowa Acts, SF 504, Chapter 109, section 18. Report received on November 29, 2018.

Tertiary Care Psychiatric Hospitals Report, pursuant to 2018 Iowa Acts, HF 2456, Chapter 1056, section 18. Report received on November 28, 2018.

Tiered Rate Provider Workgroup Actuarial Findings, Recommendations, and Comments Report, pursuant to 2018 Iowa Acts, SF 2418, section 19. Report received on December 10, 2018.

DEPARTMENT OF INSPECTIONS AND APPEALS

Annual Report, pursuant to Iowa Code section 7E.3. Report received on August 24, 2018.

Fraud in Public Assistance Programs Report, pursuant to 2018 Iowa Acts, SF 2416, section 10. Report received on November 27, 2018.

Geriatric Patient Housing Review Report, pursuant to 2018 Iowa Acts, SF 2418, section 117. Report received on December 20, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on November 27, 2018.

Tertiary Care Psychiatric Hospitals Report, pursuant to 2018 Iowa Acts, HF 2456, Chapter 1056, section 18. Report received on December 20, 2018.

IOWA ASSOCIATION OF SCHOOL BOARDS

Annual Financial Report for June 30, 2017 and 2018, pursuant to Iowa Code section 12B.10A(7). Report received on December 12, 2018.

IOWA COMMUNICATIONS NETWORK

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 16, 2018.

IOWA FINANCE AUTHORITY

Independent Investigation—Forensic Accounting Report 7/30/18, pursuant to 2018 Iowa Acts, Chapter 1169, section 17. Report received on September 26, 2018.

Independent Investigation–Forensic Accounting Report 11/26/18, pursuant to 2018 Iowa Acts, Chapter 1169, section 17. Report received on December 12, 2018.

Independent Investigation–Sexual Harassment Report, pursuant to 2018 Iowa Acts, Chapter 1169, section 17. Report received on September 26, 2018.

IOWA PUBLIC AGENCY INVESTMENT TRUST

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

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Comprehensive Annual Financial Report (CAFR), pursuant to Iowa Code section 97B.4. Report received on December 12, 2018.

Public Fund Iran Divestment Report for Year Ended June 30, 2018, pursuant to Iowa Code section 12H.5(2). Report received on October 23, 2018.

Public Fund Israel Divestment Report for Year Ended June 30, 2018, pursuant to Iowa Code section 12J.5(2). Report received on October 23, 2018.

Public Fund Sudan Divestment Report for Year Ended June 30, 2017, pursuant to Iowa Code section 12F.5(2). Report received on October 23, 2018.

IOWA STUDENT LOAN BOARD

2018 Annual Report, pursuant to Iowa Code section 7C.13(2). Report received on January 14, 2019.

JUDICIAL BRANCH

Court Debt Report, pursuant to Iowa Code section 602.8107(7). Report received on July 27, 2018.

Court Technology and Modernization Fund Report, pursuant to 2018 Iowa Acts, Chapter 1171, section 1. Report received on December 28, 2018.

Enhanced Court Collections Fund Report, pursuant to 2018 Iowa Acts, Chapter 1171, section 1. Report received on December 28, 2018.

Home Base Iowa–Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on January 2, 2019.

Judicial Retirement Fund Valuation Report, pursuant to Iowa Code section 602.9116. Report received on October 24, 2018.

New Policies and Procedures for Court Administration Report, pursuant to 2017 Iowa Acts, SF 508, section 14. Report received on October 29, 2018.

LAW ENFORCEMENT ACADEMY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 30, 2018.

Iowa Law Enforcement Academy Council Domestic Abuse Training Report, pursuant to Iowa Code section 80B.11. Report received on December 31, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 6, 2018.

IOWA LOTTERY AUTHORITY

2018 Annual Report, pursuant to Iowa Code section 99G.7. Report received on December 14, 2018.

Government Oversight FY 2017 Report, pursuant to Iowa Code section 99G.7. Report received on September 12, 2018.

Government Oversight FY 2018 Report, pursuant to Iowa Code section 99G.7. Report received on December 26, 2018.

Quarter Ended June 30, 2018 Final Report, pursuant to Iowa Code section 99G.7. Report received on September 12, 2018.

Quarter Ended September 30, 2018 Final Report, pursuant to Iowa Code section 99G.7. Report received on October 15, 2018.

DEPARTMENT OF MANAGEMENT

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

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on July 17, 2018.

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

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on July 17, 2018.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on July 17, 2018.

Standing Appropriations Report, pursuant to Iowa Code section 8.6. Report received on November 30, 2018.

State Tort Claims Report, pursuant to Iowa Code section 669.12. Report received on July 17, 2018.

DEPARTMENT OF NATURAL RESOURCES

Annual Report, pursuant to Iowa Code section 455A.4. Report received on November 2, 2018.

Annual Report on Hazardous Waste/Substance Disposal, pursuant to Iowa Code section 455B.427. Report received on December 21, 2018.

Aquatic Invasive Species Report, pursuant to Iowa Code section 462A.52. Report received on January 14, 2019.

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134. Report received on November 6, 2018.

Fees and Occupancy Rates for State Camping and Rental Facilities Report, pursuant to 2018 Iowa Acts, SF 2389, Chapter 1129, section 1. Report received on December 27, 2018.

Greenhouse Gas Emissions Report, pursuant to Iowa Code 455B.104. Report received on December 27, 2018.

Hazardous Substance Remedial Fund, pursuant to Iowa Code section 455B.425. Report received on December 17, 2018.

Home Base Iowa–Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 18, 2018.

Lake Restoration Report, pursuant to Iowa Code section 456A.33B. Report received on December 27, 2018.

Land Acquisition and Inventory Report, pursuant to 2018 Iowa Acts, HF 2502, section 44. Report received on December 12, 2018.

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 14, 2019.

Proceeds Deposited to the State Fish and Game Protection Fund, pursuant to 2018 Iowa Acts, Chapter 1150, section 8. Report received on January 14, 2019.

Quarterly Expenditure Report FY 19 Qtr Ending 9/30/18, pursuant to 2018 Iowa Acts, House File 2491, section 11. Report received on January 14, 2019.

Quarterly Expenditure Report FY 19 Qtr Ending 12/31/18, pursuant to 2018 Iowa Acts, House File 2491, section 11. Report received on January 14, 2019.

OFFICE OF OMBUDSMAN

Long-Term Care Ombudsman's Report, pursuant to Iowa Code section 231.42. Report received on June 25, 2018.

No Model of Transparency, A Report on Two Votes by the Iowa Public Information Board, pursuant to Iowa Code section 2C.17. Report received on December 20, 2018.

IOWA BOARD OF PAROLE

FY 2018 Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 13, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 26, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 26, 2018.

Reversion Report, pursuant to Iowa Code section 8.62. Report received on December 26, 2018.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE
TANK FUND BOARD

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 27, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 27, 2018.

FY 2018 Quarter 3 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on August 17, 2018.

FY 2019 Quarter 1 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on December 27, 2018.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on December 27, 2018.

BOARD OF PHARMACY

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 18, 2018.

IOWA PROPANE EDUCATION AND RESEARCH COUNCIL

Auditor's Report, pursuant to Iowa Code section 101C.3. Report received on August 17, 2018.

IowaPERC Programs and Projects Report, pursuant to Iowa Code section 101C.11. Report received on August 17, 2018.

STATE PUBLIC DEFENDER

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on October 5, 2018.

DEPARTMENT OF PUBLIC DEFENSE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 14, 2018.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 30, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 13, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on December 13, 2018.

DEPARTMENT OF PUBLIC HEALTH

Activities of the Medical Cannabidiol Board Report, pursuant to 2017 Iowa Acts, HF 524, section 8.5. Report received on December 27, 2018.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17. Report received on December 13, 2018.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 24, 2018.

Behavior Analyst and Assistant Behavior Analyst Grants Program Report, pursuant to Iowa Code section 135.181. Report received on December 28, 2018.

Child Vision Screening, pursuant to 2018 Iowa Acts, SF 2418, section 6. Report received on December 13, 2018.

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2). Report received on December 4, 2018.

Home Base Iowa—Licensed Professions and Occupations Report December 15, 2016–December 15, 2018—Department of Public Health, pursuant to Iowa Code section 272C.4. Report received on December 27, 2018.

Iowa Child Death Review Team Annual Report, pursuant to Iowa Code section 135.43. Report received on June 20, 2018.

Obstetrical Care in Iowa Report, pursuant to Iowa Code section 135.11. Report received on January 14, 2019.

Student Health Workgroup Report, pursuant to 2018 Iowa Acts, SF 475, Chapter 1119, section 14. Report received on December 27, 2018.

Substance Use Disorder Service Providers Reimbursement Workgroup, pursuant to 2018 Iowa Acts, SF 2418, section 6. Report received on December 18, 2018.

Tobacco Use Prevention and Control Report, pursuant to Iowa Code section 142A.4. Report received on December 13, 2018.

DEPARTMENT OF PUBLIC SAFETY

DCI Report of Activities at Racetrack Enclosures, pursuant to Iowa Code section 99D.14. Report received on December 31, 2018.

Home Base Iowa–Licensed Professions and Occupations Annual Report January 1, 2018–December 10, 2018, pursuant to Iowa Code section 272C.4. Report received on December 4, 2018.

Human Trafficking Report, pursuant to Iowa Code section 80.45. Report received on November 1, 2018.

Judicial Review FY 2017 Report, pursuant to Iowa Code section 625.29. Report received on January 2, 2019.

Judicial Review FY 2018 Report, pursuant to Iowa Code section 625.29. Report received on January 2, 2019.

Reversion Report–Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 25, 2018.

Statewide Interoperable Communications System Board Report, pursuant to Iowa Code section 80.29. Report received on December 27, 2018.

IOWA PUBLIC TELEVISION

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on December 26, 2018.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 26, 2018.

BOARD OF REGENTS

Annual Report, pursuant to 2018 Iowa Acts, HF 2493, Chapter 12. Report received on January 9, 2019.

Beginner Farmer Center Report, pursuant to Iowa Code section 266.39E. Report received on January 8, 2019.

Center for Health Effects of Environmental Contamination Annual Report, pursuant to Iowa Code section 263.17. Report received on January 8, 2019.

College Bound and IMAGES Annual Report, pursuant to Iowa Code section 262.93. Report received on December 21, 2018.

Continuous Improvement Plan, pursuant to Iowa Code section 262.9. Report received on October 22, 2018.

Cooperative Purchasing Plan report, pursuant to Iowa Code section 262.9B. Report received on October 29, 2018.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 262.9. Report received on December 21, 2018.

Grow Iowa Values Fund Report, pursuant to 2013 Iowa Acts, Chapter 141, section 54. Report received on December 13, 2018.

Institute for Physical Research and Technology (ISU), pursuant to 2018 Iowa Acts, HF 2493, section 12. Report received on June 25, 2018.

Local Food and Farm Program Report, pursuant to Iowa Code section 267A.7. Report received on September 18, 2018.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3. Report received on January 9, 2019.

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9(35). Report received on October 4, 2018.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5. Report received on September 26, 2018.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 26, 2018.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 26, 2018.

Research and Development Center Annual Report, pursuant to Iowa Code section 256G.4. Report received on October 30, 2018.

Research and Development School Advisory Council Report (UNI), pursuant to Iowa Code section 256G.4. Report received on June 8, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on June 29, 2018.

Technology Commercialization, Entrepreneurship, Regional Development, and Market Research Report, pursuant to 2017 Iowa Acts, SF 513, Chapter 17. Report received on January 9, 2019.

DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report Ending March 31, 2018, pursuant to Iowa Code section 421.17(27)(h). Report received on July 26, 2018.

Central Collections Unit Quarterly Debt Collection Report Ending June 30, 2018, pursuant to Iowa Code section 421.17(27)(h). Report received on August 9, 2018.

Financial Assistance Report, pursuant to 2018 Iowa Acts, HF 2493, section 4. Report received on December 10, 2018.

Iowa Capital Investment Board Annual Report, pursuant to Iowa Code section 15E.63. Report received on October 8, 2018.

Iowa Collection Enterprise (ICE) FY 2016 and FY 2017 Report, pursuant to Iowa Code section 421.17. Report received on October 25, 2018.

Iowa Collection Enterprise (ICE) FY 2018 Report, pursuant to Iowa Code section 421.17. Report received on October 25, 2018.

Iowa Streamlined Sales Tax Advisory Council Annual Report, pursuant to Iowa Code section 423.9A. Report received on October 10, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 2, 2019.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on October 25, 2018.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on July 26, 2018.

Solar Energy System Tax Credits, pursuant to Iowa Code section 422.11L. Report received on January 2, 2019.

Tax Gap Compliance Project Report, pursuant to Iowa Code section 421.17. Report received on December 10, 2018.

SECRETARY OF STATE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 31, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 2, 2019.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 2, 2019.

STATE FAIR BOARD

Association of Iowa Fairs—Economic Impact and Statistic Report, pursuant to Iowa Code section 174.10. Report received on December 14, 2018.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 14, 2019.

STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES

Annual Report, pursuant to Iowa Code section 411.5. Report received on January 2, 2019. Report received on September 14, 2018.

Municipal Fire and Police Retirement System Financial Evaluation Report, pursuant to Iowa Code section 411.5. Report received on December 3, 2018.

Public Fund Iran-Related Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 25, 2018.

Public Fund Israel-Related Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 25, 2018.

Public Fund Sudan-Related Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 25, 2018.

DEPARTMENT OF TRANSPORTATION

Annual Report, pursuant to Iowa Code section 7A.9. Report received on June 12, 2018.

Electric, Hybrid, and High-Efficiency Motor Vehicles Report, pursuant to 2018 Iowa Acts, HF 2256, Chapter 1077, section 3. Report received on December 31, 2018.

Highway Improvement Program and Sufficiency Rating Report, pursuant to Iowa Code section 307A.2. Report received on June 12, 2018.

Integrated Roadside Vegetation Management Committee Report, pursuant to Iowa Code section 314.22. Report received on June 12, 2018.

Living Roadway Trust Fund Report, pursuant to 2017 Iowa Acts, SF 405, section 89. Report received on June 12, 2018.

Nature and Scope of Enforcement Activities by Peace Officers Report, pursuant to 2018 Iowa Acts, HF 2494, section 3. Report received on December 4, 2018.

Rail/Highway Grade Crossing Warning Devices, Signals and Signs Report, pursuant to Iowa Code section 307.26(5)(c). Report received on June 12, 2018.

Road Use Tax Fund Efficiency Measures, pursuant to 2014 Iowa Acts, Chapter 1123, section 21. Report received on December 31, 2018.

Transportation Coordination in Iowa, pursuant to Iowa Code section 324A.4. Report received on December 13, 2018.

Use of Reversions Report, pursuant to Iowa Code section 307.46. Report received on October 3, 2018.

TREASURER OF STATE

ABLE Savings Trust Financial Report, pursuant to Iowa Code section 12I.7. Report received on October 23, 2018.

Iowa Educational Savings Plan Trust Report, pursuant to Iowa Code section 12D.8(1)(a). Report received on October 29, 2018.

Public Fund Iran-Related Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 27, 2018.

Public Fund Israel-Related Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 27, 2018.

Public Fund Sudan-Related Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 27, 2018.

Tobacco Settlement Authority Annual Report, pursuant to Iowa Code section 12E.15. Report received on November 13, 2018.

UTILITIES BOARD

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 2, 2019.

Small Wind Innovation Zone Report, pursuant to Iowa Code section 476.48. Report received on January 2, 2019.

VETERANS AFFAIRS

Agency Narrative State Performance Report, pursuant to Iowa Code section 7E.3. Report received on January 14, 2019.

County Allocation Fund Report, pursuant to Iowa Code section 35A.5. Report received on September 14, 2018.

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13. Report received on January 14, 2019.

CERTIFICATES OF RECOGNITION

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

Hayley Jordan Anderson, Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Glen and Rachel Bakker—For their farm becoming a Heritage Farm. Senator Sweeney.

Benjamin Allen Bartels, Pella—For reaching the rank of Eagle Scout, Troop #373. Senator Rozenboom.

M.J. Belkin—For receiving the Golden Apple Award at the Riverbend Middle School. Senator Sweeney.

Shadyn Bishop, Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Lauren Bodman, Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Pamela Bolin—For her farm becoming a Century Farm. Senator Sweeney.

Mona Rae Bond—For her farm becoming a Century Farm. Senator Sweeney.

Jeff Breitbach—For receiving the Career EMS Provider of the Year from the Iowa Emergency Medical Services Association. Senator Jochum.

Christopher Burke—For being named the 2019 Iowa Teacher of the Year. Senator Jochum.

Bryan Butler, Head Coach of the Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Bryan Butler, Head Coach of the Louisa-Muscatine High School Girls' Softball Team—For being named the Class 2A Coach of the Year by the Softball Coaches' Association. Senator Lofgren.

Barry B. and Daria M. Chesnut—For their farm becoming a Heritage Farm. Senator Sweeney.

Joy Corbin—For being a recipient of the 2018 Teacher Award from the Hardin County Child Abuse Prevention Coalitions. Senator Sweeney.

Mae Cox, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Ada Crow, Oxford—For celebrating her 100th birthday. Senator Kinney.

Joni Dittmer—For her farm becoming a Heritage Farm. Senator Sweeney.

Larry and Joyce Dreesman—For their farm becoming a Heritage Farm. Senator Sweeney.

Lavonne Eckhoff—For her farm becoming a Century Farm. Senator Sweeney.

Betty J. Eggland—For her farm becoming a Century Farm. Senator Sweeney.

Gregory and Jacqueline Eibs—For their farm becoming a Heritage Farm. Senator Sweeney.

Wendell Eike—For his years of service and volunteerism at the Radcliffe Friendly Fairways. Senator Sweeney.

Martea Engelson—For being a recipient of the Iowa Governors STEM Award. Senator Sweeney.

Ellen Beth Feldick—For her farm becoming a Heritage Farm. Senator Sweeney.

Verle Duane Feldick—For his farm becoming a Heritage Farm. Senator Sweeney.

Lily Fischer, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Maxine Freed, Fort Dodge—For celebrating her 100th birthday. Senator Kraayenbrink.

Madisyn Gerdtts, Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Allan Glandon—Upon his retirement from the Sigourney Police Department. Senator Kinney.

Sharon Greer—For her farm becoming a Heritage Farm. Senator Sweeney.

Dawn Hathaway, Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Kelly Hayworth, Coralville—For being inducted into the League Hall of Fame by the Iowa League of Cities. Senator Dvorsky.

Katie Hearn, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Bernice Heinrich—For her farm becoming a Century Farm. Senator Sweeney.

Janet Helitbridle Severance—For her farm becoming a Century Farm. Senator Sweeney.

Earnest and Helen Hoffa—For their farm becoming a Heritage Farm. Senator Sweeney.

Mallory Hohenadel, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

McKenna Hohenadel, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Iowa City Regina High School Boys Soccer Team—For winning the 2018 Iowa Boys Soccer Class 1A State Championship. Senator Dvorsky.

Brynn Jeambey, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Marque Jensen—For his farm becoming a Century Farm. Senator Sweeney.

Al Jordan, Head Coach of the Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Al Jordan, Head Coach of the Louisa-Muscatine High School Girls' Bowling Team—For being named the Des Moines Register's All-Iowa Girls' Bowling Coach. Senator Lofgren.

Markley and Kathleen Koop—For their farm becoming a Century Farm. Senator Sweeney.

Katie Koppe, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Nathan Koppe, Assistant Coach of the Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Kurt Kruger—For his farm becoming a Century Farm. Senator Sweeney.

MaKenah Lawrence, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Benjamin Lussman, Muscatine—For reaching the rank of Eagle Scout, Troop #161. Senator Lofgren.

Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Sarah Martinez, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Julie Mashek, Assistant Coach of the Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Maddie Mashek, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Mallory Mashek, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

BJ Mayer, Coach of the Iowa City West High School Girls' Basketball Team—For being named the Des Moines Register's 2017–2018 All-Iowa Coach of the Year. Senator Dvorsky.

Katie McGrane—For receiving the President's Award for Excellence in Math and Science Teaching. Senator Sweeney.

Donald J. Meester—For his farm becoming a Heritage Farm. Senator Sweeney.

Donna Meester—For her farm becoming a Century Farm. Senator Sweeney.

Jay D. Meester—For his farm becoming a Heritage Farm. Senator Sweeney.

Leon and Jean Meester—For their farm becoming a Century Farm. Senator Sweeney.

Mary Lou Meester—For her farm becoming a Heritage Farm. Senator Sweeney.

Pamela Jo Meester—For her farm becoming a Heritage Farm. Senator Sweeney.

Russell and Joan Meester—For their farm becoming a Century Farm. Senator Sweeney.

Dale Miller, Coralville—For celebrating his 90th birthday. Senator Dvorsky.

Dick E. Modlin—For his farm becoming a Heritage Farm. Senator Sweeney.

Joyce K. Modlin Lawler—For her farm becoming a Heritage Farm. Senator Sweeney.

Stacey Moore—For her farm becoming a Heritage Farm. Senator Sweeney.

Wes Morse, Assistant Coach of the Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Whittney Morse, Louisa-Muscatine High School Girls' Bowling Team—For winning the 2018 Class 1A State Bowling Championship. Senator Lofgren.

Whittney Morse, Louisa-Muscatine High School Girls' Bowling Member—For being named the State Individual Champion in Class 1A. Senator Lofgren.

Diana Mulder—For her invitation to the World Food Prize. Senator Sweeney.

Coach Butch Pederson, West Branch—Upon his 300th victory of his career, Coach Pedersen is only the 13th coach in Iowa history to reach the 300 win. Senator Dvorsky.

Ron Phares—For his farm becoming a Heritage Farm. Senator Sweeney.

Lloyd Pohl—For celebrating his 100th birthday. Senator Kraayenbrink.

Mariah Pugh, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Patty Russo—For her farm becoming a Heritage Farm. Senator Sweeney.

Hailey Sanders, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Kylee Sanders, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Cindy Schulte—For her farm becoming a Heritage Farm. Senator Sweeney.

Victor and Ida Marie Schwarck—For their farm becoming a Century Farm. Senator Sweeney.

Pamela Kay Smith—For her farm becoming a Century Farm. Senator Sweeney.

Daryl D. Tammen—For his farm becoming a Century Farm. Senator Sweeney.

Nancy Teske—For her farm becoming a Heritage Farm. Senator Sweeney.

Isabelle True, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Ruth Wagner—For celebrating her 100th birthday. Senator Kraayenbrink.

Caroline M. Welsh, Dubuque—For celebrating her 85th birthday. Senator Jochum.

David Welter—For his farm becoming a Heritage Farm. Senator Sweeney.

Tricia Johnson Welter—For her farm becoming a Heritage Farm. Senator Sweeney.

Debra White—For her farm becoming a Century Farm. Senator Sweeney.

Rachel White, Louisa-Muscatine High School Girls' Softball Team—For winning the 2018 Class 2A State Softball Championship. Senator Lofgren.

Dena Zoske—For being a recipient of the Iowa Governors STEM Award. Senator Sweeney.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 1, 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 **Education**.

Senate Joint Resolution 1, by Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide home rule for school districts.

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

INTRODUCTION OF BILLS

Senate File 1, 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 2, by Lofgren, a bill for an act relating to the safe operation of bicycles, providing penalties, and making penalties applicable.

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

Senate File 3, by Bisignano, a bill for an act prohibiting the mistreatment of certain animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

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

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 4 to Step 5 Effective 6/18 |
| Asst. Secretary of the Senate III | Janet Hawkins | Step 7 to Step 8 Effective 11/18 |
| Sr. Admin. Assistant to Leader to Sr. Admin. Assistant to Leader III | Mary Earnhardt | Grade 38 Step 8 to Grade 41 Step 8 Effective 9/18 |
| Sr. Admin. Assistant to Leader II | Ed Failor | Resigned Effective 4/18 |
| Sr. Admin. Assist. to Leader | Caleb Hunter | Step 7 to Step 8 Effective 9/18 |
| Research Analyst II to Sr. Admin. Assistant to President | Andy Conlin | Grade 32 Step 7 to Grade 38 Step 7 Effective 9/18 |

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| Admin. Assistant to President II to Admin. Assistant to President III | Chris Dorsey | Grade 32 Step 8 to Grade 35 Step 6 Effective 6/18 |
| Caucus Staff Director | Gannon Hendrick | Step 6 to Step 7 Effective 6/18 |
| Sr. Research Analyst | Catherine Engel | Step 5 to Step 6 Effective 11/18 |
| Sr. Research Analyst | Sue Foecke | Step 5 to Step 6 Effective 11/18 |
| Sr. Research Analyst | Jace Mikels | Step 4 to Step 5 Effective 11/18 |
| Sr. Research Analyst | Kerry Scott | Step 7 to Step 8 Effective 11/18 |
| Sr. Research Analyst | Erica Shorkey | Step 6 to Step 7 Effective 11/18 |
| Research Analyst III | Josh Bronsink | Step 4 to Step 6 Effective 6/18 |
| Research Analyst II | Bob Bird | Step 3 to Step 4 Effective 7/18 |
| Research Analyst to Research Analyst I | Jacob Heard | Grade 27 Step 3 to Grade 29 Step 3 Effective 6/18 |
| Research Analyst to Research Analyst I | Larissa Wurm-Skipworth | Grade 27 Step 5 to Grade 29 Step 5 Effective 11/18 |
| Research Analyst | Jillian Carlson | Step 1 to Step 2 Effective 7/18 |
| Research Analyst | Megan Schlesky | Step 2 to Step 4 Effective 6/18 |
| Secretary to Leader | Nik Wasik | Resigned Effective 4/18 |
| Admin. Services Officer III to Sr. Admin. Services Officer | Kay Brandt | Grade 32 Step 8 Grade 35 Step 6 Effective 6/18 |
| Admin. Services Officer III to Sr. Admin. Services Officer | Kathy Olah | Grade 32 Step 8 Grade 35 Step 6 Effective 6/18 |
| Admin. Services Officer II | Angie Cox | Step 5 to Step 6 Effective 11/18 |
| Admin. Services Officer I to Admin. Services Officer II | Cindy Meyerdirk | Grade 26 Step 8 to Grade 29 Step 7 Effective 12/18 |
| Admin. Services Officer II | Maureen Taylor | Step 5 to Step 6 Effective 6/18 |
| Admin. Services Officer I | Michelle Bauer | Step 5 to Step 6 Effective 6/18 |
| Admin. Services Officer I | Jennifer Beminio | Step 5 to Step 6 Effective 11/18 |
| Admin. Services Officer I | Betty Shea | Resigned Effective 10/18 |
| Sergeant-at-Arms I | Gerald Carlson | Step 6 to Step 7 Effective 2/19 |

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|---------------------------------|------------------|------------------------------------|
| Sergeant-at-Arms II | Bill Krieg | Step 6 to Step 7 Effective 2/19 |
| Doorkeeper | Don Crank | Resigned Effective 5/18 |
| Doorkeeper | Lyn Crank | Resigned Effective 5/18 |
| Doorkeeper | Sharon Kimberlin | Step 2 to Step 3 Effective 3/19 |
| Bill Clerk | Jay Mosher | Resigned Effective 12/18 |
| Legislative Committee Secretary | Cassie Bond | Step 1 to Step 2 Effective 1/19 |
| Legislative Committee Secretary | Margaret Guth | Step 2 to Step 3 Effective 2/19 |
| Legislative Committee Secretary | Tammy Kriegel | Step 2 to Step 3 Effective 2/19 |
| Legislative Committee Secretary | Beth Stearns | Step 1 to Step 2 Effective 2/19 |
| Legislative Secretary | Bobby Bailey | Step 1 to Step 2 Effective 4/19 |
| Legislative Secretary | Sue Grove | Step 1 to Step 2 Effective 1/19 |
| Legislative Secretary | Claire Haws | Step 3 to Step 4 Effective 3/19 |
| Legislative Secretary | Annette Taylor | Step 2 to Step 3 Effective 2/19 |

JACK WHITVER, Chair

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Your committee on rules and administration submits the following names of officers and employees of the Senate for the Eighty-eighth General Assembly, 2019 Session, and their respective classifications, grades and steps:

| | | <u>Grade/Step</u> | <u>Class of Appt</u> |
|--|---------------------|-------------------|--------------------------|
| Secretary of the Senate | W. Charles Smithson | 44-5 | P-FT |
| Assistant Secretary of the Senate III | Janet Hawkins | 38-8 | P-FT |
| Administrative Assistant to President III | Chris Dorsey | 35-6 | P-FT |
| Sr. Administrative Assistant to President | Andy Conlin | 38-7 | P-FT |
| Sr. Administrative Assistant to Leader | Caleb Hunter | 38-8 | P-FT |
| Sr. Administrative Assistant to Leader II | Eric Bakker | 41-8 | P-FT |
| Sr. Administrative Assistant to Leader II | Mary Earnhardt | 41-8 | P-FT |

| | | | |
|---|------------------------|------|------|
| Sr. Administrative Assistant to Leader II | Debbie Kattenhorn | 41-8 | P-FT |
| Caucus Staff Director | Gannon Hendrick | 38-7 | P-FT |
| Sr. Caucus Staff Director | Ron Parker | 41-8 | P-FT |
| Legislative Research Analyst | Jillian Carlson | 27-2 | P-FT |
| Legislative Research Analyst | Dylan Keller | 27-1 | P-FT |
| Legislative Research Analyst | Megan Schlesky | 27-4 | P-FT |
| Legislative Research Analyst I | Jake Heard | 29-3 | P-FT |
| Legislative Research Analyst I | Larissa Wurm-Skipworth | 29-5 | P-FT |
| Legislative Research Analyst II | Bob Bird | 32-4 | P-FT |
| Legislative Research Analyst III | Joshua Bronsink | 35-6 | P-FT |
| Sr. Legislative Research Analyst | Thomas Ashworth | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Kris Bell | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Pamela Dugdale | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Catherine Engel | 38-6 | P-FT |
| Sr. Legislative Research Analyst | Sue Foecke | 38-6 | P-FT |
| Sr. Legislative Research Analyst | Bridget Godes | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Rusty Martin | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Jace Mikels | 38-5 | P-FT |
| Sr. Legislative Research Analyst | Kerry Scott | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Erica Shorkey | 38-7 | P-FT |
| Sr. Legislative Research Analyst | Julie Simon | 38-8 | P-FT |
| Sr. Legislative Research Analyst | Russ Trimble | 38-8 | P-FT |
| Executive Secretary to Leader | Emily Schwickerath | 24-1 | P-FT |
| Administrative Services | Kathy Stachon | 20-6 | S-O |
| Administrative Services Officer I | Michelle Bauer | 26-6 | P-FT |
| Administrative Services Officer I | Jennifer Beminio | 26-6 | P-FT |
| Administrative Services Officer II | Angela Cox | 29-6 | P-FT |

| | | | |
|-------------------------------------|---------------------|----------|------|
| Administrative Services Officer II | Cindy Meyerdirk | 29-7 | P-FT |
| Administrative Services Officer II | Maureen Taylor | 29-6 | P-FT |
| Sr. Administrative Services Officer | Kay Brandt | 35-6 | P-FT |
| Sr. Administrative Services Officer | Kathy Olah | 35-6 | P-FT |
| Sr. Finance Officer III | Lois Brownell | 38-8 | P-FT |
| Switchboard Operator | JoAnn Larson | 14-5 | S-O |
| Switchboard Operator | Christine Porter | 14-4 | S-O |
| Legislative Secretary | John Altendorf | 17-1 | S-O |
| Legislative Secretary | Victoria Archer | 15-1 | S-O |
| Legislative Secretary | Bobby Bailey | 18-1 | S-O |
| Legislative Secretary | Anne Marie Burnett | 18-7 | S-O |
| Legislative Secretary | Joshua Carpenter | 18-1 | S-O |
| Legislative Secretary | Kathy Ellett | 17-5 | S-O |
| Legislative Secretary | Judith Elliott | 15-4 | S-O |
| Legislative Secretary | Alex Freeman | 16-2 | S-O |
| Legislative Secretary | Beth Freeman | 18-1 | S-O |
| Legislative Secretary | Sue Grove | 16-1 | S-O |
| Legislative Secretary | Tanner Halleran | 17-1 | S-O |
| Legislative Secretary | Linda Hansen | 16-2 | S-O |
| Legislative Secretary | Anna Harmon | 17-1 | S-O |
| Legislative Secretary | Claire Haws | 18-3 | S-O |
| Legislative Secretary | Greg Heartsill | 16-1 | S-O |
| Legislative Secretary | Theresa Hildreth | 18-2 | S-O |
| Legislative Secretary | Rebecca Hoepfner | 18-3 | S-O |
| Legislative Secretary | John Hollinrake | 17-1(+6) | S-O |
| Legislative Secretary | Marce Huhn | 18-7 | S-O |
| Legislative Secretary | Nate Ogle | 16-1 | S-O |
| Legislative Secretary | Kathy Peterson | 16-6(+2) | S-O |
| Legislative Secretary | Logan Pillard | 16-1 | S-O |
| Legislative Secretary | Meredith Rahn-Oakes | 18-1 | S-O |
| Legislative Secretary | Paul Rouse | 16-1 | S-O |
| Legislative Secretary | Hannah Scott | 17-1 | S-O |
| Legislative Secretary | Annette Taylor | 18-2 | S-O |
| Legislative Secretary | Emily VanKirk | 18-1 | S-O |
| Legislative Secretary | Susan Wengert | 16-2 | S-O |
| Legislative Committee Secretary | Kathryn Arndt | 18-2 | S-O |
| Legislative Committee Secretary | Cassie Bond | 18-1 | S-O |
| Legislative Committee Secretary | Nancy Garrett | 17-3 | S-O |
| Legislative Committee Secretary | Carrie Genest | 18-2 | S-O |
| Legislative Committee Secretary | Margaret Guth | 17-2 | S-O |
| Legislative Committee Secretary | Sally Kraayenbrink | 18-2 | S-O |

| | | | |
|---------------------------------|------------------|------|-----|
| Legislative Committee Secretary | Tammy Kriegel | 17-2 | S-O |
| Legislative Committee Secretary | Brody Larson | 17-1 | S-O |
| Legislative Committee Secretary | Haley Ledford | 18-1 | S-O |
| Legislative Committee Secretary | Jennifer Long | 18-4 | S-O |
| Legislative Committee Secretary | Sarah Moore | 18-3 | S-O |
| Legislative Committee Secretary | Mitch Sinclair | 18-1 | S-O |
| Legislative Committee Secretary | Morgan Smith | 18-1 | S-O |
| Legislative Committee Secretary | Beth Stearns | 18-1 | S-O |
| Legislative Committee Secretary | Gina Ten Pas | 18-1 | S-O |
| Legislative Committee Secretary | Bailey Veatch | 18-1 | S-O |
| Legislative Committee Secretary | Zeke Walker | 18-1 | S-O |
| Legislative Committee Secretary | Barbara Willey | 17-2 | S-O |
| Legislative Committee Secretary | Dede Zaun | 17-4 | S-O |
| Legislative Committee Secretary | Alex Zumbach | 18-1 | S-O |
| Legislative Committee Secretary | Michelle Zumbach | 18-1 | S-O |
| Postmistress | Leila Carlson | 12-5 | S-O |
| Sergeant-at-Arms I | Gerald Carlson | 17-6 | S-O |
| Sergeant-at-Arms II | Bill Krieg | 20-6 | S-O |
| Doorkeeper | Lemuel Anderson | 11-1 | S-O |
| Doorkeeper | Sam Crowe | 11-1 | S-O |
| Doorkeeper | Sharon Kimberlin | 11-2 | S-O |
| Doorkeeper | Frank Loeffel | 11-7 | S-O |
| Doorkeeper | Dylan Nelson | 11-1 | S-O |
| Doorkeeper | Brittan Ostby | 11-1 | S-O |
| Page | Jackson Birdwell | 9-1 | S-O |
| Page | Seth Fiala | 9-1 | S-O |
| Page | Kate Hapgood | 9-1 | S-O |
| Page | Piper LaGrange | 9-1 | S-O |
| Page | John Meis | 9-1 | S-O |
| Page | Ami Penquite | 9-1 | S-O |
| Page | Brooklyn Price | 9-1 | S-O |
| Page | Ellie Reece | 9-1 | S-O |
| Page | Samuel Sampson | 9-1 | S-O |
| Page | Ben Theuma | 9-1 | S-O |

JACK WHITVER, Chair

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the Eighty-eighth General Assembly, 2019 session:

*Vice Chair

**Ranking Member

AGRICULTURE—13 Members

| | | | |
|----------------|----------|-----------|------------|
| Zumbach, Chair | Costello | Mathis | Shipley |
| Sweeney* | Edler | Ragan | Taylor, R. |
| Kinney** | Kapucian | Rozenboom | Wahls |
| Brown | | | |

APPROPRIATIONS—21 Members

| | | | |
|------------------|---------|--------------|------------|
| Breitbach, Chair | Garrett | Lykam | Shipley |
| Kraayenbrink* | Greene | Mathis | Taylor, T. |
| Bolkcom** | Guth | Miller-Meeks | Wahls |
| Celsi | Johnson | Ragan | |
| Costello | Koelker | Rozenboom | |
| Dotzler | Lofgren | Schneider | |

COMMERCE—17 Members

| | | | |
|----------------|-----------|--------------|-----------|
| Chapman, Chair | Breitbach | Johnson | Petersen |
| Koelker* | Brown | Mathis | Quirnbach |
| Lykam** | Dawson | Miller-Meeks | Sinclair |
| Bisignano | Feenstra | Nunn | Smith, R. |
| Bolkcom | | | |

EDUCATION—15 Members

| | | | |
|-----------------|-----------|--------------|---------|
| Sinclair, Chair | Celsi | Kraayenbrink | Sweeney |
| Cournoyer* | Danielson | Lofgren | Wahls |
| Quirnbach** | Edler | Rozenboom | Zaun |
| Behn | Johnson | Smith, J. | |

ETHICS—6 Members

| | | | |
|-----------------|----------|--------|---------|
| Costello, Chair | Jochum** | Mathis | Sweeney |
| Behn* | Kinney | | |

GOVERNMENT OVERSIGHT—5 Members

| | | | |
|-----------------|-------------|-------|---------|
| Sinclair, Chair | Bisignano** | Celsi | Whiting |
| Lofgren* | | | |

HUMAN RESOURCES—13 Members

| | | | |
|---------------------|----------|---------|-----------|
| Miller-Meeks, Chair | Carlin | Garrett | Johnson |
| Segebart* | Costello | Greene | Quirnbach |
| Mathis** | Edler | Jochum | Ragan |
| Bolkcom | | | |

JUDICIARY—15 Members

| | | | |
|-------------|---------|----------|------------|
| Zaun, Chair | Chapman | Petersen | Sweeney |
| Dawson* | Garrett | Schultz | Taylor, R. |
| Kinney** | Hogg | Shipley | Whiting |
| Bisignano | Nunn | Sinclair | |

LABOR AND BUSINESS RELATIONS—11 Members

| | | | |
|----------------|-----------|---------|------------|
| Schultz, Chair | Bisignano | Dotzler | Nunn |
| Whiting* | Brown | Guth | Taylor, R. |
| Taylor, T. ** | Carlin | Koelker | |

LOCAL GOVERNMENT—11 Members

| | | | |
|--------------|---------|--------------|-----------|
| Edler, Chair | Boulton | Hogg | Quirnbach |
| Greene* | Garrett | Kraayenbrink | Segebart |
| Smith, J. ** | Guth | Lofgren | |

NATURAL RESOURCES AND ENVIRONMENT—13 Members

| | | | |
|------------------|-----------|----------|-----------|
| Rozenboom, Chair | Boulton | Kapucian | Smith, J. |
| Shipley* | Celsi | Lykam | Sweeney |
| Hogg** | Cournoyer | Segebart | Zumbach |
| Behn | | | |

RULES AND ADMINISTRATION—11 Members

| | | | |
|----------------|---------|----------|-----------|
| Whitver, Chair | Behn | Feenstra | Sinclair |
| Schneider* | Bolkcom | Jochum | Smith, R. |
| Petersen** | Chapman | Ragan | |

STATE GOVERNMENT—15 Members

| | | | |
|------------------|-----------|--------------|------------|
| Smith, R., Chair | Chapman | Feenstra | Taylor, T. |
| Johnson* | Cournoyer | Jochum | Whiting |
| Bisignano** | Danielson | Miller-Meeks | Zaun |
| Celsi | Dawson | Schultz | |

TRANSPORTATION—13 Members

| | | | |
|-----------------|-----------|-----------|------------|
| Kapucian, Chair | Cournoyer | Lykam | Taylor, T. |
| Brown* | Kinney | Shipley | Whiting |
| Danielson** | Koelker | Smith, J. | Zumbach |
| Breitbart | | | |

VETERANS AFFAIRS—11 Members

| | | | |
|---------------|-----------|---------|---------|
| Dawson, Chair | Carlin | Dotzler | Lofgren |
| Miller-Meeks* | Costello | Edler | Ragan |
| Taylor, R.** | Danielson | Koelker | |

WAYS AND MEANS—17 Members

| | | | |
|-----------------|-----------|-----------|-----------|
| Feenstra, Chair | Brown | Dotzler | Schultz |
| Dawson* | Carlin | Edler | Smith, R. |
| Jochum** | Chapman | Nunn | Sweeney |
| Behn | Danielson | Quirnbach | Wahls |
| Bolkcom | | | |

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

| | | |
|-------------|------------|---------|
| Guth, Chair | Celsi** | Whiting |
| Zumbach* | Taylor, R. | |

AGRICULTURE AND NATURAL RESOURCES

| | | |
|----------------|----------|---------|
| Shipley, Chair | Mathis** | Sweeney |
| Rozenboom* | Kinney | |

ECONOMIC DEVELOPMENT

| | | |
|----------------|-----------|-----------|
| Lofgren, Chair | Dotzler** | Smith, J. |
| Greene* | Cournoyer | |

EDUCATION

| | | |
|---------------------|---------|-----------|
| Kraayenbrink, Chair | Wahls** | Quirnbach |
| Sinclair* | Koelker | |

HEALTH AND HUMAN SERVICES

| | | |
|-----------------|---------|--------------|
| Costello, Chair | Ragan** | Miller-Meeks |
| Edler* | Bolkcom | |

JUSTICE SYSTEM

| | | |
|----------------|--------|------------|
| Garrett, Chair | Hogg** | Taylor, T. |
| Nunn* | Carlin | |

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

| | | |
|----------------|---------|--------|
| Johnson, Chair | Lykam** | Dawson |
| Smith, R.* | Boulton | |

SENATORS AND THEIR RESPECTIVE COMMITTEES

| | |
|--------------------|---|
| BEHN, Jerry | Education Ethics, Vice Chair Natural Resources and Environment Rules and Administration Ways and Means |
| BISIGNANO, Tony | Commerce Government Oversight, Ranking Member Judiciary Labor and Business Relations State Government, Ranking Member |
| BOLKCOM, Joe | Appropriations, Ranking Member Commerce Human Resources Rules and Administration Ways and Means Health and Human Services Appropriations Subcommittee |
| BOULTON, Nate | Local Government Natural Resources and Environment Transportation, Infrastructure, and Capitals Appropriations Subcommittee |
| BREITBACH, Michael | Appropriations, Chair Commerce Transportation |
| BROWN, Waylon | Agriculture Commerce Labor and Business Relations Transportation, Vice Chair Ways and Means |
| CARLIN, Jim | Human Resources Labor and Business Relations Veterans Affairs Ways and Means Justice System Appropriations Subcommittee |
| CELSI, Claire | Appropriations Education Government Oversight Natural Resources and Environment State Government Administration and Regulation Appropriations Subcommittee, Ranking Member |

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|--------------------------|---|
| CHAPMAN, Jake | Commerce, Chair Judiciary Rules and Administration State Government Ways and Means |
| COSTELLO, Mark | Agriculture Appropriations Ethics, Chair Human Resources Veterans Affairs Health and Human Services Appropriations Subcommittee, Chair |
| COURNOYER, Chris | Education, Vice Chair Natural Resources and Environment State Government Transportation Economic Development Appropriations Subcommittee |
| DANIELSON, Jeff | Education State Government Transportation, Ranking Member Veterans Affairs Ways and Means |
| DAWSON, Dan | Commerce Judiciary, Vice Chair State Government Veterans Affairs, Chair Ways and Means, Vice Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee |
| DOTZLER, William A., Jr. | Appropriations Labor and Business Relations Veterans Affairs Ways and Means Economic Development Appropriations Subcommittee, Ranking Member |
| EDLER, Jeff | Agriculture Education Human Resources Local Government, Chair Veterans Affairs Ways and Means Health and Human Services Appropriations Subcommittee, Vice Chair |

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| FEENSTRA, Randy | Commerce Rules and Administration State Government Ways and Means, Chair |
| GARRETT, Julian B. | Appropriations Human Resources Judiciary Local Government Justice System Appropriations Subcommittee, Chair |
| GREENE, Thomas A. | Appropriations Human Resources Local Government, Vice Chair Economic Development Appropriations Subcommittee, Vice Chair |
| GUTH, Dennis | Appropriations Labor and Business Relations Local Government Administration and Regulation Appropriations Subcommittee, Chair |
| HOGG, Robert | Judiciary Local Government Natural Resources and Environment, Ranking Member Justice System Appropriations Subcommittee, Ranking Member |
| JOCHUM, Pam | Ethics, Ranking Member Human Resources Rules and Administration State Government Ways and Means, Ranking Member |
| JOHNSON, Craig | Appropriations Commerce Education Human Resources State Government, Vice Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair |
| KAPUCIAN, Tim L. | Agriculture Natural Resources and Environment Transportation, Chair |

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| KINNEY, Kevin | Agriculture, Ranking Member Ethics Judiciary, Ranking Member Transportation Agriculture and Natural Resources Appropriations Subcommittee |
| KOELKER, Carrie | Appropriations Commerce, Vice Chair Labor and Business Relations Transportation Veterans Affairs Education Appropriations Subcommittee |
| KRAAYENBRINK, Tim | Appropriations, Vice Chair Education Local Government Education Appropriations Subcommittee, Chair |
| LOFGREN, Mark S. | Appropriations Education Government Oversight, Vice Chair Local Government Veterans Affairs Economic Development Appropriations Subcommittee, Chair |
| LYKAM, Jim | Appropriations Commerce, Ranking Member Natural Resources and Environment Transportation Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member |
| MATHIS, Liz | Agriculture Appropriations Commerce Ethics Human Resources, Ranking Member Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member |
| MILLER-MEEKS, Mariannette | Appropriations Commerce Human Resources, Chair State Government Veterans Affairs, Vice Chair Health and Human Services Appropriations Subcommittee |

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|----------------------|---|
| NUNN, Zach | Commerce Judiciary Labor and Business Relations Ways and Means Justice System Appropriations Subcommittee, Vice Chair |
| PETERSEN, Janet | Commerce Judiciary Rules and Administration, Ranking Member |
| QUIRMBACH, Herman C. | Commerce 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 Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair |
| SCHNEIDER, Charles | Appropriations Rules and Administration, Vice Chair |
| SCHULTZ, Jason | Judiciary Labor and Business Relations, Chair State Government Ways and Means |
| SEGEBART, Mark | Human Resources, Vice Chair Local Government Natural Resources and Environment |
| SHIPLEY, Tom | Agriculture Appropriations Judiciary Natural Resources and Environment, Vice Chair |

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| | Transportation Agriculture and Natural Resources Appropriations Subcommittee, Chair |
| SINCLAIR, Amy | Commerce Education, Chair Government Oversight, Chair Judiciary Rules and Administration Education Appropriations Subcommittee, Vice Chair |
| SMITH, Jackie | Education Local Government, Ranking Member Natural Resources and Environment Transportation Economic Development Appropriations Subcommittee |
| SMITH, Roby | Commerce Rules and Administration State Government, Chair Ways and Means Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair |
| SWEENEY, Annette | Agriculture, Vice Chair Education Ethics Judiciary Natural Resources and Environment Ways and Means Agriculture and Natural Resources Appropriations Subcommittee |
| TAYLOR, Rich | Agriculture Judiciary Labor and Business Relations Veterans Affairs, Ranking Member Administration and Regulation Appropriations Subcommittee |
| TAYLOR, Todd E. | Appropriations Labor and Business Relations, Ranking Member State Government Transportation Justice System Appropriations Subcommittee |

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|---------------|--|
| WAHLS, Zach | Agriculture Appropriations Education Ways and Means Education Appropriations Subcommittee, Ranking Member |
| WHITING, Zach | Government Oversight Judiciary Labor and Business Relations, Vice Chair State Government Transportation Administration and Regulation, Appropriations Subcommittee |
| WHITVER, Jack | Rules and Administration, Chair |
| ZAUN, Brad | Education Judiciary, Chair State Government |
| ZUMBACH, Dan | Agriculture, Chair Natural Resources and Environment Transportation Administration and Regulation Appropriations Subcommittee, Vice Chair |

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 15, 2019

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by Minister Eli Suddarth of the Lutheran Church of Hope in Ankeny, Iowa. He was the guest of Senator Whitver.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Birdwell.

The Journal of Monday, January 14, 2019, 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 9:13 a.m. until the fall of the gavel for a Democratic party caucus.

The Senate resumed session at 9:44 a.m., President Schneider presiding.

In accordance with House Concurrent Resolution 1, 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

The joint convention convened at 9:51 a.m., President Schneider presiding.

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

Senator Whitver 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 Feenstra, Koelker, and Mathis on the part of the Senate, and Representatives Jones, Brink, and Konfrst on the part of the House.

Secretary of Agriculture, Mike Naig; Auditor of State, Rob Sand; Treasurer of State, Mike Fitzgerald; 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 Jessica Erger, grandsons Emory and Reed Erger, daughter Nicole Springer, 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 Schneider presented Governor Kim Reynolds, who delivered the following Condition of the State Address:

Mr. Lt. Governor, Mr. President, Madam Speaker, legislative leaders, senators, representatives, justices, judges, elected officials, distinguished guests, family, friends, my fellow Iowans:

The job of government, above all else, is to provide for the health and safety of its citizens.

So I want to begin this address by thanking the people who are on the front lines of providing that protection: the men and women who serve in military, law enforcement, and as first responders.

They risk their lives for us. And some of them give the ultimate sacrifice. It was with great sadness that, last week, we laid to rest Clinton firefighter Lt. Eric Hosette. And it is with prayerful hope that we watch Firefighter Adam Cain recover from the same tragic event.

For these men and women, service isn't just part of their job. It's who they are—whether the uniform is on or off.

Take Billy Fox. After graduating from Central College, he enlisted in the Army and joined the special forces. After almost eight years of active service and tours in the Middle East, Billy returned to civilian life.

He began his job search through Home Base Iowa and eventually landed at Vermeer, back home in Pella. He started on the production line and quickly became the head of security, where his instincts to serve and protect would be put to use—in ways that no one would have imagined.

On July 19, a tornado ripped through Vermeer's campus, completely destroying one factory and heavily damaging others. It was devastating. I saw it first-hand the next day. Metal was everywhere; cars were piled on top of each other; and brick walls were leveled.

Yet there was not a single fatality. Not one.

Thanks to Billy's calm and experienced leadership, the 3,000 employees and visitors attending Vermeer's customer appreciation day were safe. Even though an "all clear" was issued by a paid weather service, Billy and his team kept everyone sheltered—and in doing so, saved their lives.

Billy, please stand so that we can recognize your service, leadership, and bravery.

On the same day a tornado struck Vermeer, separate tornadoes ripped through Bondurant and Marshalltown, destroying homes and businesses in their path.

In the days and weeks after, hundreds of volunteers showed up to help clear debris and rebuild.

Last year, we saw the same thing play out again and again across Iowa. In times of need, Iowans came together. Neighbor-helping-neighbor. And often, stranger helping stranger.

Whether it was cleaning up after a flood or a tornado, looking for a missing loved one, or bringing in a harvest after a tragedy, Iowans showed up.

It's who we are, and it's why I am so proud to be your governor.

Join me in recognizing the Iowans who, every day, show acts of kindness, and who truly make this the greatest state in the nation.

For those of us who have the honor to represent these Iowans, it's our job to live up to the example they set. And there's no better time than the Condition of the State and the days that follow to set aside our differences and forge a common vision.

Iowans expect no less.

Working across the aisle isn't an impossible task; we've done it. And by continuing to put Iowans first, we honor four public servants, whose belief in diplomacy, principles, and bipartisanship made an incredible difference in millions of lives.

In 2018, America lost a great leader with the passing of President George H.W. Bush. A man whose legacy is one of service, statesmanship and values, and whose commemoration served as a reminder to all Americans of the nobility of public service.

Iowa mourned the passing of Gov. Robert Ray whose civility, courage and common-sense style of governing set the highest standard for those who followed.

We grieved the passing of Congressman Leonard Boswell, a proud veteran and public servant who willingly reached across the aisle on many issues to make Iowa a better place.

And three weeks ago, we lost legendary Sen. John Culver, whose energy, passion for politics, and timeless wit highlighted the best of Iowa.

If we've learned anything from the passing of these public servants, it's this: Working together, with deep resolve, we can achieve more than we ever dreamed possible.

Last year was another year of significant accomplishments. Together, we: passed the largest income tax cut ever as part of a groundbreaking tax reform package; continued making education a priority by investing a record amount in K-12 schools and our children's future; enacted a collaborative water-quality bill, my first as governor; protected the sanctity of life; provided affordable insurance options to thousands of Iowans; and—with unanimous support—enacted comprehensive mental health reform and the Future Ready Iowa Act.

Indeed, it was a historic year.

As we begin a new general assembly, I'm proud to declare that the condition of the state is strong. Our budget is balanced and our cash reserves are full; wages are going up while unemployment is at an all-time low.

Because of our people and the power of their ingenuity, Iowa is soaring.

I know, however, that not everyone feels that success. I know that in family rooms, workplaces—and even in this chamber—there are Iowans who are struggling, sometimes in silence.

Today, I am asking this Legislature to work with me again to fight for those individuals. To make sure that Iowa's success is every Iowan's success.

One year ago, I stood at this podium and told you that 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 make a new start.

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

My vision for the future of Iowa hasn't changed. But the future I see isn't around the corner, or after the next election. The future is now. The time is now to deliver on the promises we've made to Iowans looking for a way up.

It starts by taking the next step to prepare Iowans for dynamic careers and lifelong learning.

That's Future Ready Iowa.

At its core, Future Ready Iowa recognizes that there is dignity in meaningful work, that Iowans yearn for the opportunity to better themselves, and that those opportunities exist right here in Iowa.

It directs resources where we need them most. Identifying high-demand jobs like computer programmers and electricians. Educating Iowans about those great opportunities while providing support for individuals seeking those rewarding careers.

We've already started putting the policy into action. Last fall, Future Ready Iowa summits were hosted in 18 communities across the state.

We brought together employers, educators and local leaders, to discuss how communities could use the Future Ready Iowa Act as a springboard to propel Iowans into new careers.

In fact, after one of the summits, the North Scott superintendent decided to launch a Registered Apprenticeship program for advanced manufacturing. Local employers like John Deere and Eagle Engineering already have expressed interest. And students, like Myah Harrington, are eager to sign up.

To encourage education and training beyond high school, Fareway has started a program to help employees pay down their student debt. And Ruan Transportation started a technology apprenticeship program that will give young Iowans yet another great career path.

We will see this play out again and again over the next few years.

Future Ready Iowa is a powerful tool to grow family incomes, meet employer needs and strengthen communities.

The time is now to invest in Iowans and their future. Today, I'm calling on the Legislature to take the next step, to appropriate \$20 million to fund the plan we put in place last session.

This investment will take Iowa to the next level. And more important, it will give more Iowans an opportunity to find a rewarding career.

Of course, the road to finding a rewarding career doesn't start after high school. A strong K-12 education system is the foundation of any state, and Iowa has a solid foundation to build upon.

Our schools are filled with innovative teachers, who are making things happen; we have the most extensive teacher leadership and compensation system in the country; a nationally recognized STEM initiative; and we're getting closer to our goal to have students reading proficiently by the end of third grade.

That's just a sample of the critical work that is underway in our state. But there is always more to do.

Kids today are growing up immersed in a world of digital technology. The workforce is continually impacted by innovation and globalization. And we need an education system that adapts to those changes.

Because of our investment in STEM, apprenticeships, work-based learning and computer science, it's happening now across our state.

In August we launched a new program called Computer Science is Elementary. Through STEM grants, this public-private partnership will transform six high-poverty elementary schools into models of computer science instruction by weaving computer coding into the class lessons.

We're also seeing other elementary schools expanding or creating computer science programs.

Clear Lake is expanding coding and other fundamentals for fourth- and fifth-graders; Kingsley-Pierson is training teachers to teach computer science; and Indianola is teaching coding to kindergarteners, first- and second-graders.

Iowa students are getting amazing real-world learning experiences.

Like Central Campus in Des Moines, where this week, high-school students will start a semester-long program called NeuroSMART. Through a partnership with Kemin and Des Moines University, and with the support of a STEM Council award, these students will get hands-on experience in the fields of neuroscience and business.

In the gallery today, we have students from Central Campus. Please stand to be recognized. We are excited to see what the future has in store for you.

The budget I'm submitting today proposes over \$93 million in additional funding for preschool through high school education, which includes a 2.3% increase in per pupil funding.

I'm also requesting \$11.2 million to help districts with disproportionate transportation costs.

And I'm asking for a \$1 million increase in STEM funding.

In total, that will bring our preK-12 investment to almost \$3.4 billion this year.

That's an investment we can be proud of. But Iowans also know that a quality education can't be reduced to a dollar figure or a percentage increase. It's about one thing and one thing only: How well we prepare our children to succeed.

Over the last eight years, I've been fortunate to travel the nation and the world on behalf of Iowa.

These trips have provided ideas on what we can do better, but they've also given me perspective on what makes Iowa so unique.

From river to river and border to border, Iowa is speckled with vibrant communities, each with its own character and story to tell.

Every 10, 15 or 20 miles, there's another town, with another school brimming with pride, and another Main Street filled with excitement and hope.

These welcoming and unique communities motivate thousands to ride their bikes from the Missouri to the Mississippi each year. They're what gives Iowa its character.

Unfortunately, in some places, that character is fading. We cannot let that happen.

Our communities and Main Streets tell a story to the outside world. My question for each of you is this: How do we want our story to read?

That we've given up, or that we have hope for the future? That we're tired, or full of energy? That we've lost our vision, or are innovative and creative? That we're fading or growing?

As I travel all 99 counties, I've seen the story that many Iowans are writing and the potential to do more.

That's what led me to create the Governor's Empower Rural Iowa Initiative, a partnership between my office and the Iowa Rural Development Council.

Led by Lt. Governor Gregg and Sandy Ehrig, the initiative focused on connecting, investing and growing our rural communities.

I want to thank the Lt. Governor and Sandy for their leadership. And I want to thank the members of the Empower Rural Iowa Initiative for their work in providing the initial recommendations.

It's no secret, we need to keep our rural communities connected if we hope to keep our young people or attract others to Iowa. Over a century ago, a town's proximity to the railroad was key; over the last 100 years, our focus has been on highways and interstates. And, by the way, it's that focus that finally gave us a completed four-lane Highway 20.

Now, though, it's virtual connectivity that has become essential. Businesses, schools, hospitals, and even our combines, rely on high-speed internet.

We have come a long way already. U.S. News & World Report says "the Hawkeye state leads the nation in efforts to bring ultra-fast internet access to every city block and every rural acre." But there's still more to do.

To ensure that every part of Iowa has the same opportunity, I am requesting \$20 million, split over two years, for broadband infrastructure. This funding will accelerate expansion and leverage an additional \$120 million in private investment for high-speed internet.

Rural communities also can't thrive without access to housing. Businesses in rural Iowa are growing and hiring, but the employees they need won't make the move if there's no place for their family to call home.

I am therefore requesting that we double the amount of workforce housing tax credits that are set aside for rural communities, putting the total at \$10 million. I'm also asking that these tax credits be competitive, meaning that they will go to those projects that are well planned, not just first in line.

When it comes to building strong communities, the talent is there. The drive is there. And often, the programs are there, but the coordination isn't.

That's why I'm announcing the establishment of a Center for Rural Revitalization within the Iowa Economic Development Authority. This center will focus on making rural Iowa an even greater priority and give our Main Streets a roadmap for success.

In places like Jefferson, Iowans are already showing that, with ingenuity and drive, our small towns can be as vibrant as they've ever been.

Since 2012, over 100 Greene County residents volunteered more than 29,000 hours to raise funds, write grants and work on committees.

They've transformed downtown Jefferson, attracting 14 businesses and rehabbing dozens of buildings. And recently, voters overwhelmingly approved a bond referendum that will build a new high school that will house a career academy that will feed a new downtown business called the Forge.

The Forge, which is owned by Pillar Technologies, will employ 30 technology consultants, many of them just out of high school. Pillar has successfully brought this same concept to Silicon Valley, Columbus, Ohio, Ann Arbor, Michigan, and recently Des Moines.

And now it's coming to downtown Jefferson.

Why? Because even people in our nation's largest cities can see what rural Iowa has to offer. People like Kevin Scott, the chief technology officer of Microsoft and a group of technology investors who paid a visit to Jefferson just last month.

Not every Iowa town will be home to a new technology consulting firm. But we should help ignite every community with the passion of the people of Greene County, some of whom are with us here today. Thank you for being that spark. Please stand up and be recognized.

Since taking the oath of office, one of my priorities has been to create an integrated and coordinated health care system. We made great strides on that effort last year.

We passed legislation that gave Iowans affordable health care options.

We worked diligently, and still are, to ensure that our Medicaid program is sustainable and focused on patient outcomes.

And we unanimously passed mental health reform, which built on the changes we began in 2013.

And we're seeing results. In a recent report, Mental Health America declared that Iowa's overall mental health system is the seventh best in the nation, and third when it comes to the adult system.

That's before the legislation from last year has been fully implemented.

This year, the mental health regions will continue developing new services. To help sustain them, I've set aside an additional \$11 million in my two-year Medicaid budget.

And I'm calling on the Legislature to extend the time the regions have to spend down their capital balances and to increase the percentage of their operating budgets that may be carried from one year to the next.

There may still be more to do, so I'm asking everyone in this chamber to work with me to ensure that we have sustainable funding that will keep our mental health system strong.

Another essential piece of a strong mental health system is having adequate behavioral healthcare providers. To build on the existing psychiatric residency program, my budget proposes to fund four additional psychiatric residencies at the University of Iowa for doctors who will practice in rural communities. And I'm asking the Legislature to appropriate additional money to train nurse practitioners and physician assistants in mental health.

Our efforts aren't over yet. But by working together, we will have the best adult mental health system in the country.

When it comes to our children and their changing mental health needs, we are not as far along.

That's not for a lack of talking about it. We've been doing that for more than 20 years.

It's time to move past the talking phase.

There is no worse pain than that of a child who is suffering in silence. And there is no greater agony than that of a parent who watches helplessly—not knowing where or to whom they can turn.

Diagnosing and healing illness is never guaranteed, but when it comes to physical pain parents know the path to get there. "The doctor will see you now," is usually just a few minutes or hours away.

When it comes to mental health, however, part of the fear and the pain is in not knowing where to begin. In being told "no one provides those services" or "your child is on a wait list, we can see her in two to three months."

We must create a children's mental health system where the path to healing is clearly marked. A system that lets parents know where to begin—and that their child can begin immediately.

That's why, at the end of last session, I signed an executive order creating a children's mental health board. I asked this group of educators, mental health professionals, parents, legislators and children's advocates to devise a plan and create a structure for a children's mental health system.

The board has completed its initial task, and based on its recommendation, I will be introducing a bill that finally creates a children's system that will work in tandem with our adult system.

I'm also calling on the Legislature to appropriate additional money for home- and community-based children's mental health services so that we can eliminate the waiting list that currently exists.

And I'm requesting \$3 million to train teachers to better recognize early signs of mental illness.

Creating a comprehensive children's mental health system will take time. But we can and must take action. The days of merely talking are over.

Three years ago, we began to offer apprenticeship programs in our state prisons. The concept isn't hard to understand: Most of our inmates aren't inmates for life. They will reenter society—and when they do, we want them to be successful. Those who can't get a job often find their way back to crime and then back to prison.

So from a public safety perspective, training our inmates is the right thing to do.

But there's more to it than that. As I said earlier, there is dignity in work. There is also beauty in grace.

Talk with someone who, by their own actions, hit rock bottom but decided to turn their life around. Watch their face light up when they tell you about the person who offered them a helping hand. A family member, a friend, or maybe a stranger.

There are few things as powerful as the joy of someone who got a second chance and found their purpose.

If you talk to Michael Willoughby or Steve Shewry, you'll see it. Both men completed an apprenticeship program in prison: Michael prepared to be a computer operator and Steve prepared for a career in welding. Both men committed serious crimes.

Today, both men are star employees at jobs they landed before leaving prison. They were offered a second chance, they took it, and they succeeded.

Frontier Co-Op in Norway and Winger Companies in Ottumwa are the other half of this story. Those are the employers who saw something in Michael and Steve. They looked beyond the rap sheet and found high-quality employees for hard-to-fill jobs.

Too often, employers overlook these skilled workers because of the fear of lawsuits. Let's take that off the table. Our correctional system and parole board are the judge of whether an inmate is ready to be released. Let's not punish employers for offering an offender a second chance. I am also calling on the Legislature to send me a bill that protects employers like Frontier and Winger who hire Iowans with criminal records.

Michael and Steve are with us today. So are Megan Schulte, head of of human resources at Frontier, and Jim Keck, general manager of Winger. Thank you for showing us the value of second chances.

Now, more than ever, we need people like Michael and Steve. We have a skilled worker shortage and prisons full of inmates, many of whom will soon re-enter society. Let's get them the skills they need and place them with the Frontiers and Wingers of this state.

To that end, I am announcing today that we are establishing a new home building program at the Newton Correctional Facility. In partnership with the nonprofit Homes for Iowa, this program will provide housing that is needed throughout rural Iowa. And it will provide training for jobs that are in high demand. It's a win-win.

There are other programs across the state that are working to ensure criminal offenders are finding a new purpose.

Through a pilot program, the Department of Corrections is currently working with Iowa Central Community College in Fort Dodge to offer Pell Grants to prison inmates. This program is one of the most successful in the country, with more than 420 students participating, earning an average GPA of 3.5.

I also recently met with a group of Iowans, led by Tim Krueger, who are working to bring a nonprofit organization called The Other Side Academy to Des Moines. It's a two-year residential rehabilitation program that is an alternative to prison or jail. And it operates without government funding, sustaining itself through the businesses run by its participants.

These are just two examples. Together, I believe there is even more we can do.

And we can start with felon voting. Our constitution takes away the voting rights of anyone convicted of a felony. Forever.

Only two other state constitutions have a similar provision, and last November, the people of Florida voted to remove their ban.

Through the power of clemency, the governor can restore those rights, and I have done that 88 times since taking office.

But I don't believe that voting rights should be forever stripped, and I don't believe restoration should be in the hands of a single person.

After the election, an Iowan stopped me at my grandson's basketball game in Waukee. I had restored his rights and he wanted to tell me, in person, how much it meant to him. How, when he stepped into the voting booth, he felt a dignity that had been missing, even after leaving prison.

I don't think this man and others like him who have completed their sentences should have to wait for my say or any future governor's say before they get that dignity back.

Our founders gave us a process to amend the constitution, should the passage of time change our view. Let's begin that process now. I believe Iowans recognize the power of redemption; let's put this issue in their hands.

That's not the only constitutional amendment we should consider.

As it should, our constitution deals extensively with the rights of the accused and convicted. But it never mentions victims.

In all of the focus on second chances and forgiveness, we should never forget about the victims. I know each of you in this room believe that. So let's show it. This year, let's start the process of enshrining victim's rights into the Iowa Constitution. Like 36 other states have done, let's send victims a loud and clear message: We will protect you.

Over the next few months, I look forward to working with all of you to enact these priorities and yours. Whether it's looking for ways to further reform our tax code, or passing legislation that strengthens our health care system, I am excited for what's in store.

We have laid the foundation for a bright future. Let's build on it.

The time is now to finish what we started.

The time is now to cement Iowa's status as the best state in the nation.

The time is now to deliver on the promises we've made to Iowans looking for a way up.

Thank you, God bless you, and God 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 Whitver, the Senate adjourned at 10:47 a.m. until 9:00 a.m., Wednesday, January 16, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

AUDITOR OF STATE

Targeted Small Business Compliance Report, pursuant to Iowa Code section 11.26. Report received on January 15, 2019.

ECONOMIC DEVELOPMENT AUTHORITY

2018 Iowa Targeted Small Business Loan Program Report, pursuant to 2014 Iowa Acts, Chapter 1124, section 10. Report received on January 15, 2019.

Targeted Small Business Report, pursuant to Iowa Code section 15.108. Report received on January 15, 2019.

DEPARTMENT OF EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on January 15, 2019.

Adult Education and Literacy Program Report, pursuant to Iowa Code section 260C.50. Report received on January 15, 2019.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260I. Report received on January 15, 2019.

Iowa Community Colleges 260G Ace Infrastructure Report, pursuant to Iowa Code section 260G. Report received on January 15, 2019.

Online Learning in Iowa Annual Report, pursuant to 2018 Iowa Acts, SF 475, Chapter 1119, section 3. Report received on January 15, 2019.

Pathways for Academic Career and Employment (PACE) Program Report, pursuant to Iowa Code section 260H. Report received on January 15, 2019.

Statewide Work-Based Intermediary Network Report, pursuant to Iowa Code section 256.40. Report received on January 15, 2019.

BOARD OF EDUCATIONAL EXAMINERS

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 14, 2019.

DEPARTMENT OF NATURAL RESOURCES

Proceeds Deposited to the State Fish and Game Protection Fund, pursuant to 2018 Iowa Acts, Chapter 1150, section 8. Report received on January 15, 2019.

DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures and Contractual Obligations, pursuant to Iowa Code 307.12. Report received on January 15, 2019.

UTILITIES BOARD

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66. Report received on January 14, 2019.

CERTIFICATES OF RECOGNITION

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

Colin Johnson, Rockwell City—For achieving the rank of Eagle Scout, Troop #94. Senator Kraayenbrink.

Jacy McAlexander, Rockwell City—For achieving the rank of Eagle Scout, Troop #94. Senator Kraayenbrink.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 15, 2019, 2:40 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: Behn (excused).

Committee Business: Organizational meeting.

Adjourned: 3:00 p.m.

TRANSPORTATION

Convened: Tuesday, January 15, 2019, 1:30 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Danielson, Ranking Member; Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: Breitbach (excused).

Committee Business: Rules.

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2, by Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the state budget by creating a state general fund expenditure limitation.

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

Senate Joint Resolution 3, 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 and the governor.

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

INTRODUCTION OF BILLS

Senate File 4, by Hogg, a bill for an act appropriating moneys to the flood mitigation fund for the protection of property from the effects of floodwaters.

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

Senate File 5, by Sinclair, a bill for an act repealing the property tax exemption for forest reservations and including applicability provisions.

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

Senate File 6, by Lofgren, a bill for an act relating to contractor warranties including by providing for the transfer of contractor warranties upon the passage of legal or equitable title in the property, requiring information relating to contractor warranties in real estate disclosure statements, making penalties applicable, and including applicability provisions.

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

Senate File 7, 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**.

Senate File 8, 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 9, by Zaun, a bill for an act establishing a multiple sclerosis support fund and authorizing lottery games to benefit persons with multiple sclerosis.

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

Senate File 10, by Zaun, a bill for an act relating to grandparent and great-grandparent visitation.

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

Senate File 11, by Zaun, a bill for an act relating to the awarding of joint custody and joint physical care.

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

Senate File 12, 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 **Judiciary**.

Senate File 13, 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 14, by Bolkcom, a bill for an act relating to the expungement of violations of local ordinances.

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

Senate File 15, by Bolkcom, a bill for an act relating to the collection of employer information from Iowa health and wellness plan applicants and recipients.

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

Senate File 16, by Bolkcom, a bill for an act relating to the provision of Medicaid coverage to pregnant women lawfully residing in the United States.

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

Senate File 17, 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 18, 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**.

Senate File 19, 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 20, 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 21, by Zaun, a bill for an act increasing the amount of total approved tax credits for purposes of the school tuition organization tax credit.

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

Senate File 22, by Zaun, a bill for an act relating to the exclusion of certain retirement income from the calculation of net income, and including retroactive applicability provisions.

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

Senate File 23, by Bolkcom, a bill for an act limiting the amount of research activities tax credit that is refundable and including retroactive applicability provisions.

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

Senate File 24, by Bolkcom, a bill for an act relating to the use of triclosan in certain products, providing civil penalties, and including effective date provisions.

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

Senate File 25, by Zaun, 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 referred to committee on **Commerce**.

Senate File 26, by Zaun, a bill for an act increasing the speed limit on the interstate road system.

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

Senate File 27, by Zaun, a bill for an act relating to the establishment of tenure systems at public postsecondary educational institutions.

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

Senate File 28, by Zaun, a bill for an act relating to education by modifying the duties and authority of certain state and local governmental entities, establishing an education savings grant program and fund, making appropriations, providing penalties, and including effective date and applicability provisions.

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

Senate File 29, by Zaun, a bill for an act relating to additional weighting for limited English proficient students and including effective date and applicability provisions.

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

Senate File 30, by Zaun, a bill for an act relating to the Iowa core curriculum and to assessment and content standards for school districts and accredited nonpublic schools and including effective date provisions.

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

Senate File 31, by Zaun, a bill for an act establishing a limitation on the amount of administrative costs for school districts.

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

Senate File 32, by Lofgren, a bill for an act relating to a petition by a school board for amendment or repeal of a rule adopted by the state board of education.

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

Senate File 33, by Segebart, a bill for an act providing for the designation of a caregiver relating to a patient's inpatient stay at a hospital.

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

Senate File 34, 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 **Commerce**.

Senate File 35, by Danielson, a bill for an act relating to the counting of absentee ballots and including applicability provisions.

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

Senate File 36, by Zaun, a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and applicability provisions.

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

Senate File 37, by Zaun, a bill for an act creating a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including retroactive and other applicability provisions.

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

Senate File 38, by Zaun, a bill for an act providing a property assessment adjustment for certain property of persons who have attained the age of sixty-five, providing a penalty, and including retroactive and other applicability provisions.

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

Senate File 39, by Zaun, a bill for an act reducing the state inheritance tax rates and providing for the future repeal of the state inheritance tax and state qualified use inheritance tax.

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

Senate File 40, by Zaun, a bill for an act providing an exemption from the computation of the individual income tax of certain amounts of retirement income and including retroactive applicability provisions.

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

Senate File 41, by Zaun, a bill for an act exempting from the individual income tax the wages of individuals who provide services to disabled individuals and including effective date and applicability provisions.

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

Senate File 42, 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 43, by Breitbach, a bill for an act to increase the maximum capacity of certain motor vehicles operated by school district employees to transport children to activity events or from school to home in unusual situations.

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

Senate File 44, 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 45, by Zaun, a bill for an act requiring search warrants for certain activities under the jurisdiction of the natural resource commission.

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

Senate File 46, by Chapman, a bill for an act relating to fishing on a private lake or pond.

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

Senate File 47, by Chapman, a bill for an act relating to youth deer and youth wild turkey hunting licenses.

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

Senate File 48, by Chapman, a bill for an act to exclude equine boarding from the annual lease termination requirements for farm tenancies.

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

Senate File 49, by Chapman, a bill for an act requiring county and city property assessors to stand for retention at election and including applicability provisions.

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

STUDY BILLS RECEIVED

SSB 1001 Judiciary

Relating to financial responsibility requirements for liability arising out of the ownership, maintenance, or use of a motor vehicle.

SSB 1002 Judiciary

Allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

SSB 1003 Judiciary

Relating to the requirements for certifications of trust and including applicability provisions.

SSB 1004 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 1005 Judiciary

Relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

SSB 1006 Judiciary

Relating to the practice of massage therapy, and providing penalties.

SSB 1007 Judiciary

Allowing county attorneys and assistant county attorneys to obtain a professional permit to carry weapons.

SSB 1008 Judiciary

Relating to restrictions on bailable defendants charged with homicide by motor vehicle.

SSB 1009 Judiciary

Establishing the criminal offense of assault by threat of a targeted attack, and providing penalties.

SSB 1010 Judiciary

Relating to certain liability insurance policy information required to be given to claimants.

SSB 1011 Judiciary

Relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.

SSB 1012 Judiciary

Relating to the possession of marijuana, and providing penalties.

SSB 1013 Judiciary

Relating to the calculation of certain court costs in probate matters, and including effective date and applicability provisions.

SSB 1014 Judiciary

Relating to the definition of vulnerable elder.

SSB 1015 Judiciary

Relating to the exploitation of a dependent adult by a caretaker.

SSB 1016 Judiciary

Relating to expert witness testimony in child sexual abuse and child endangerment cases.

SSB 1017 Judiciary

Relating to going armed with, carrying, or transporting a firearm when transporting a person to or from a school or delivering an item to the school.

SSB 1018 Judiciary

Relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

SSB 1019 Commerce

Relating to stocking of waters located on private property.

SSB 1020 Commerce

Relating to the special employment security contingency fund and funding of an insurance fraud bureau special fund, and including effective date and retroactive applicability provisions.

SSB 1021 Commerce

Relating to manufacturers of native distilled spirits and beer.

SSB 1022 Veterans Affairs

Relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

SSB 1023 Veterans Affairs

Concerning the display of the POW/MIA flag on public buildings.

SSB 1024 Transportation

Relating to electric standup scooters, and providing penalties.

SSB 1025 Transportation

Relating to department of transportation employees designated as peace officers, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 1**

WAYS AND MEANS: Feenstra, Chair; Chapman and Quirmbach

Senate File 3

JUDICIARY: Shipley, Chair; Bisignano and Whiting

Senate File 7

JUDICIARY: Kinney, Chair; Chapman and Sinclair

Senate File 21

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

Senate File 22

WAYS AND MEANS: Chapman, Chair; Dotzler and R. Smith

Senate File 23

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Dawson

SSB 1001

JUDICIARY: Sweeney, Chair; Hogg and Schultz

SSB 1002

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

SSB 1003

JUDICIARY: Chapman, Chair; Hogg and Shipley

SSB 1004

JUDICIARY: Zaun, Chair; Bisignano and Chapman

SSB 1005

JUDICIARY: Dawson, Chair; Sweeney and Taylor

SSB 1006

JUDICIARY: Zaun, Chair; Petersen and Sweeney

SSB 1007

JUDICIARY: Nunn, Chair; Kinney and Sinclair

SSB 1008

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

SSB 1009

JUDICIARY: Chapman, Chair; Kinney and Shipley

SSB 1010

JUDICIARY: Sinclair, Chair; Hogg and Whiting

SSB 1011

JUDICIARY: Schultz, Chair; Garrett and R. Taylor

SSB 1012

JUDICIARY: Dawson, Chair; Kinney and Zaun

SSB 1013

JUDICIARY: Dawson, Chair; Garrett and Hogg

SSB 1014

JUDICIARY: Dawson, Chair; Kinney and Shipley

SSB 1015

JUDICIARY: Dawson, Chair; Kinney and Shipley

SSB 1016

JUDICIARY: Garrett, Chair; Kinney and Sweeney

SSB 1017

JUDICIARY: Schultz, Chair; Kinney and Sinclair

SSB 1018

JUDICIARY: Dawson, Chair; Bisignano and Shipley

SSB 1019

COMMERCE: Chapman, Chair; Brown and Mathis

SSB 1020

COMMERCE: Chapman, Chair; Bolcom and Brown

SSB 1021

COMMERCE: Breitbach, Chair; Bisignano and Brown

SSB 1022

VETERANS AFFAIRS: Dawson, Chair; Carlin and Ragan

SSB 1023

VETERANS AFFAIRS: Lofgren, Chair; Carlin and Dotzler

SSB 1024

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

SSB 1025

TRANSPORTATION: Kapucian, Chair; Danielson and Shipley

REPORTS OF THE SECRETARY OF STATE

January 14, 2019

W. Charles Smithson
Secretary of the Senate
State Capitol
Des Moines, Iowa 50319

Dear Secretary Smithson,

Enclosed you will find a copy of the required report filed pursuant to Iowa Code section 49A.3. Due to a procedural oversight, my office failed to cause SJR #2006 and HJR #2009 to be published in two newspapers of general circulation in each congressional district in the state for the three months preceding the November 2018 General Election.

I accept full responsibility for this oversight and offer my sincerest apology to the legislators and supporters who worked so hard on these bills. There is no excuse, and I am instituting a system that will ensure an error like this never happens again. I have been a vocal supporter of both measure and I deeply regret this oversight. I am truly sorry.

At my direction, my staff has adopted a policy for identifying proposed constitutional amendments for publication. As a part of this policy, we would ask that you, or another member of your staff, flag any proposed constitutional amendments for special attention prior to submitting them to the Secretary of State for filing. Additionally, at the conclusion of each legislative session, I would request a meeting with both yourself and the Chief Clerk of the House to review the journals and discuss any joint resolutions that require action on the part of the Secretary of State.

As you are aware, a similar oversight occurred in 2004 under the Chet Culver administration. To the best of my knowledge, no information regarding the Culver oversight, or constitutional amendments generally, was included in transition documents provided to me in December 2014. To ensure that future Secretaries of State are informed about the constitutional amendment process, my office's new policy will be included with transition documents at the time that a new Secretary of State is elected. Additionally, I intend to have a letter to all future Secretaries printed into the record book kept by pursuant to Iowa Code section 49A.3.

Finally, I would request that the legislature review Iowa Code Chapter 49A and determine if there are any legislative safeguards that can be put in place to prevent this oversight from occurring in the future. An option the legislature may consider is moving the duty of publication to the Legislative Services Agency and amending the definition of publication to include publication on an Internet website. As a non-partisan agency, LSA does not experience the same turnover and loss of institutional knowledge as the Secretary of State's Office and already has a process in place to automatically publish all joint resolutions on their website, which is free and available to all Iowans. Allowing the publication requirements to be met using LSA's website is a step that helps modernize the constitutional amendment process and better reflect how Iowan's receive their news.

In closing, while there is not a quick fix for this situation, I can guarantee that I will do everything in my power to prevent future oversights.

Sincerely,

Paul D. Pate
Secretary of State
State of Iowa

I, Paul D. Pate, Secretary of the State of Iowa, do hereby certify that the following newspapers were designated to publish SENATE JOINT RESOLUTION #206, Acts of the Eighty-seventh General Assembly. Publication in accordance with Chapter 49A, Code of Iowa, did not occur.

| <u>Congressional District</u> | <u>Newspaper</u> | <u>2018 Dates of Publication</u> |
|-------------------------------|--|----------------------------------|
| First | Dubuque Telegraph Herald, Dubuque | 8/X, 9/X, 10/X |
| | Cedar Rapids Gazette, Cedar Rapids | 8/X, 9/X, 10/X |
| Second | Quad City Times, Davenport | 8/X, 9/X, 10/X |
| | Iowa City Press Citizen, Iowa City | 8/X, 9/X, 10/X |
| Third | Des Moines Register, Des Moines | 8/X, 9/X, 10/X |
| | Council Bluffs Nonpareil, Council Bluffs | 8/X, 9/X, 10/X |
| Fourth | Ames Daily Tribune, Ames | 8/X, 9/X, 10/X |
| | Sioux City Journal, Sioux City | 8/X, 9/X, 10/X |

IN TESTIMONY WHEREOF, I hereunto set my Hand
and affixed seal of the Secretary of State at the
Capitol, in Des Moines, this fourteenth day of January, 2019.

PAUL D. PATE, Secretary of State of the State of Iowa

I, Paul D. Pate, Secretary of the State of Iowa, do hereby certify that the following newspapers were designated to publish HOUSE JOINT RESOLUTION #209, Acts of the Eighty-seventh General Assembly. Publication in accordance with Chapter 49A, Code of Iowa, did not occur.

| <u>Congressional District</u> | <u>Newspaper</u> | <u>2018 Dates of Publication</u> |
|-------------------------------|--|----------------------------------|
| First | Dubuque Telegraph Herald, Dubuque | 8/X, 9/X, 10/X |
| | Cedar Rapids Gazette, Cedar Rapids | 8/X, 9/X, 10/X |
| Second | Quad City Times, Davenport | 8/X, 9/X, 10/X |
| | Iowa City Press Citizen, Iowa City | 8/X, 9/X, 10/X |
| Third | Des Moines Register, Des Moines | 8/X, 9/X, 10/X |
| | Council Bluffs Nonpareil, Council Bluffs | 8/X, 9/X, 10/X |
| Fourth | Ames Daily Tribune, Ames | 8/X, 9/X, 10/X |
| | Sioux City Journal, Sioux City | 8/X, 9/X, 10/X |

IN TESTIMONY WHEREOF, I hereunto set my Hand
and affixed seal of the Secretary of State at the
Capitol, in Des Moines, this fourteenth day of January, 2019.

PAUL D. PATE, Secretary of State of the State of Iowa

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 16, 2019

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

Prayer was offered by Reverend Dr. Lindsay Watkins of Trinity Lutheran Church in Boone, Iowa. He was the guest of Senator Behn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Seth Fiala.

The Journal of Tuesday, January 15, 2019, 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.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:07 a.m. until 9:45 a.m.

RECONVENED

The Senate reconvened at 9:49 a.m., President Schneider presiding.

In accordance with House Concurrent Resolution 3, 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 3, duly adopted, the joint convention was called to order at 9:55 a.m., President Schneider presiding.

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

Senator Whitver 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 Chapman, Hogg, and Zaun on the part of the Senate, and Representatives Kaufmann, Lundgren, and Williams on the part of the House.

Senator Whitver 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 Carlin, Ragan, and Whiting on the part of the Senate, and Representatives Derry, Holt, and McKean on the part of the House.

Secretary of State, Paul D. Pate; Secretary of Agriculture, Mike Naig; Auditor of State, Rob Sand; State Treasurer, Mike Fitzgerald; 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 granddaughter, Corah Cady, 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 Schneider 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, Lieutenant Governor Gregg, state officials, colleagues, family, friends, and everyone who joins us this morning to hear the condition of Iowa's judicial system.

Today is the ninth time I have stood before you to report on the condition of Iowa's judiciary. Much has changed since the first time. For my wife Becky and me, our daughter was only a few years into her career as a speech therapist, our son had just started law school, and I had considerably less gray hair. Today, our family has grown with the addition of our four beautiful granddaughters. While we always look for opportunities to be together, when we cannot, today's technology allows us to share special moments in real time. We keep up with milestones and events with family group chat. We share photos of activities an instant after they are taken and respond just as fast with likes and comments. I have even watched my granddaughters in Des Moines and San Antonio while reading them a bedtime story from my living room in Fort Dodge. Technology has opened a new world and fortified the eternal hope of all grandparents for life to be better for their children and grandchildren. It is the same hope Iowans have always wished for each new generation.

Vital Importance of the Courts

I begin my message today where we all stand together united in our hope for the future and with hope my report to you on the work of the courts will strengthen our bond and help move us closer to that more perfect union for our children and grandchildren. As for my gray hair, I am afraid there is no hope.

The law binds all of us in this chamber together. Legislators and judges each hold unique and vital roles in Iowa's legal system. For judges and your justice system, our contribution to the law begins with the disputes Iowans bring into our courts. This work can be as difficult as life itself and every day have direct and real consequences for thousands and, at times, all Iowans. The work may involve a complex business dispute or something as simple as a speeding ticket. It may involve conduct of a young Iowan who has not yet grown up or is growing up in need of help not found in the home or involve an older Iowan no longer able to care for herself in her home. It may involve an Iowan with a physical or mental disability or involve an Iowan with a physical or mental illness. It may involve an Iowan with an alcohol or drug addiction or involve one who deals drugs to others. In each dispute, the justice Iowans deserve is what makes the courts vitally important and drives us to become better.

In past years, I shared with you the ways our court system has been changing to better meet the needs of Iowans. Year after year, our problem solving courts continue to improve the lives of Iowans. Drug courts, mental health courts, veterans' courts, family treatment courts, and juvenile diversion courts bring our judges and community providers together at the center of our comprehensive efforts to resolve the underlying problems of Iowans suffering from mental illness or substance abuse. In the same way, our juvenile court officers are using a systematic approach to help troubled youth and their families address their disruptive choices, reinforce positive behaviors, and in some cases, avoid a criminal record. I have shared powerful stories of families on the verge of destruction reunified and strengthened, children in the pipeline from juvenile court to prison placed on a path to a brighter future, and drug-addicted Iowans who have embraced sobriety and earned a second chance. These stories not only continue to be told across the state but also continue to give shape to the gift of justice.

Essential Work of Juvenile Court Services

In September, I visited the juvenile court services office in Iowa City. There, I met with the juvenile court service team, including their intern named Faith. The team told me the story of a sixteen-year-old girl referred to its office eight years ago. The problems began when she and her mom struggled to communicate. The situation then escalated into physical altercations. This young girl was at risk of losing her home and her dreams. She needed help and so did her mom. With treatment and help from Justin, the juvenile court officer assigned to her, she worked through her problems, reconciled with her mother, and graduated from high school with her dreams intact. She then went on to graduate from the University of Iowa with a Bachelor's Degree in Psychology and will graduate with a Master's Degree in Social Work in May.

The story the team told was Faith's story, the intern I met that day. Faith works in the same juvenile court services office that helped her and her mom, and put her on this path to success. Faith's story demonstrates the importance of juvenile court services. It is an example of how juvenile court officers and community providers across the state work together to use the appropriate levels of treatment and services to help youth and their families avoid the criminal justice system and reach their potential. Yet, this story tells us so much more.

Faith is now there to help others as she was helped, and the lives she impacts will help improve lives for generations to come. If there is any doubt about how justice serves to fulfill our hope of a better life for the next generation, there should be no more. It takes each one of us. It takes faith.

A Culture of Continuous Improvement

Iowans do not need to look far to see how past generations have paved the way for our current achievements and future successes. Iowa has a proud history of successful, multigenerational family businesses that contribute to our great state. Last summer, I traveled to Pella and Sheffield to meet with the leaders of two of Iowa's most successful, multigenerational family businesses: Jason Andringa from Vermeer Manufacturing and Steve Sukup from Sukup Manufacturing. Both companies have grown to the heights of international success, and it did not take me long to understand the reason. I witnessed their culture of continuous improvement, a culture devoted to improving their products and the lives of those who build them.

This successful culture is not unique to business. It is essential for the success of all, including the courts. Like the Vermeer and Sukup companies, and so many others, our court system must focus on where we are going, not where we have been. It is the Iowa way and the way for our courts. Let me explain how we are building this culture, beginning with our business courts.

Business Courts. We are committed to providing a dedicated court with specially trained judges who operate in ways that are compatible with the needs of businesses. Today, I am pleased to announce we have expanded the operation of our business courts so they will be available to more businesses. Since its inception five years ago, the business court program has been under the steady oversight of Justice Daryl Hecht. With his retirement from the supreme court last month, I am pleased Justice Thomas Waterman will now oversee the program. Expanding the business court to more businesses is just the next step. We are committed to exploring other ways to enhance the value of the business courts, especially to farmers and other ag-based businesses. We want a top-notch specialty court that contributes to a flourishing economy by working with Iowa's businesses to resolve their disputes efficiently and fairly.

Criminal Justice System. We are also working on changes to our criminal justice system. Justice Edward Mansfield is leading a task force of prosecutors and criminal defense lawyers to update and improve the rules of criminal procedure as a part of our continuing efforts to achieve greater fairness in the trial process. We also have a committee reviewing court rules governing the imposition and collection of criminal debt. Last year, Justice David Wiggins chaired a committee on jury reform that led to changes now making jury service more efficient and manageable. This is another step to expand Iowans' participation in jury service so all juries reflect their communities. At the same time, we have continued implicit bias training for all judges and court staff.

Our culture of continuous improvement applies to every component of Iowa's justice system, but no more than in the criminal justice system. We hope you know that we are always willing to be a partner with you, and the governor, in discussions to reform the criminal justice system. We can and must work together to ensure Iowa's criminal justice system is fair to all Iowans regardless of wealth, geography, race, or gender.

Court Representation. Our judges and justices are changing too. As mentioned, Justice Hecht retired last year, as did Justice Bruce Zager. Justice Zager's retirement was planned, but, sadly, Justice Hecht retired in December after the cancer he has been valiantly battling took away his ability to meet the demands of his work on the court. Justice Susan Christensen of Harlan joined the court in September, and the process to fill Justice Hecht's vacancy is underway. We welcome Justice Christensen to the court, and I look forward to working with her for many years. I would like us to take this moment to express our appreciation and gratitude to Justice Hecht and Justice Zager for all they have done for our system of justice.

While Justice Christensen is the first new justice on the supreme court in 7½ years, the transition of judges is always occurring throughout our court system. Last year, eighteen judges retired. We are grateful for their service. Yet there is value in the transition of judges, and we are reminded that in the end it is justice that endures. The new judges are giving us something else that is very important. The new judicial appointments are moving us closer to achieving greater diversity in our judicial ranks. Last year, the number of female and male judges appointed to the bench was equal. I would like to take this moment to thank those who serve on all judicial nominating commissions, and Governor Reynolds, for their commitment to selecting the best people to serve as judges. Iowa's judiciary has a strong, national reputation for fairness and impartiality. We should all be very proud of the quality and the changing face of our judiciary.

New Opportunities to Lead the Nation

The judicial branch is moving forward with our ongoing programs, our new judges, and a commitment to advance justice within a culture of continuous improvement. In doing so, we continue to follow the global expansion of technology that is rapidly

shaping the future for all of us. We see the vast potential of technology to improve the operation of our justice system and justice itself. Few understood the benefits and value of a paperless court system when it launched ten years ago. Without those few people, the Iowa court system would not have the first-in-the-nation comprehensive electronic filing system on which lawyers and court users depend. Embracing change is the part of a culture of continuous improvement that is so critical to our success. Today, the age of technology is propelling courts into a new age of justice. With more opportunities to achieve justice than ever imagined, Iowa has new opportunities to lead the nation once again.

Digital Opportunities Initiative. The power of technology has stirred our imagination and allowed us to identify more than 130 critical projects to serve better more Iowans, who are our customers. Our “Digital Opportunities Initiative” contains projects such as electronic search warrants, text messages to defendants and other court users, remote court reporting and interpreting, and online dispute resolution.

Online dispute resolution has started in a few states with promising early results. The State of Utah established an online dispute resolution pilot project for small claims cases that substantially reduced the steps needed to resolve a case. It has streamlined the process and made it more convenient for court users. We want to do the same for the 75,000 Iowans who use our small claims courts each year.

Imagine an online process that will allow Iowans to resolve some of their legal disputes without taking time from work to go to the courthouse. Imagine a time when law enforcement officers will no longer need to drive from the scene of an investigation to a courthouse to request a warrant because judges will be able to transmit search warrants to officers in their vehicles. Imagine a time when defendants receive reminders of their court dates on their phones so there are fewer delays and fewer adverse collateral consequences for defendants who miss appearance dates.

Access to Justice Initiative. We developed many of our technology projects in response to an increase in the number of self-represented litigants in our civil justice system over the last decade. The cost of legal services today is preventing many Iowans with legal problems from obtaining the services of a lawyer. This problem can no longer be addressed by only legal aid programs and relying on lawyers to provide pro bono representation. With help from the Iowa Access to Justice Commission chaired by Justice Brent Appel, our “Access to Justice Initiative” will increase the availability of online access to court information. This will help self-represented Iowans provide the essential information for a judge to adjudicate their disputes fully and fairly. Imagine a time when self-represented litigants in Iowa will be able to access the courts and navigate through the legal system without being disadvantaged because they are unable to afford a lawyer. It is a problem shared across the nation. Imagine Iowa again leading the way to solving it.

Problem Solving Courts Initiative. Technology can also help expand Iowa’s problem solving courts into every county and improve the lives of more Iowans. We currently have no mechanism to collect, track, and analyze data from our thirty-nine specialty courts. The “Problem Solving Courts Initiative” we hope to pursue will enable us to draw data from problem solving courts to identify and develop consistent statewide practices and help ensure we are delivering the best possible outcomes for Iowans and their families. We want to know our work is helping Iowans.

Imagine if every Iowa veteran has access to a veterans’ court, if every Iowan suffering from mental illness has access to a mental health court, if every Iowan suffering from drug addiction has access to a drug court, and if every Iowa family struggling with dependence has access to a family treatment court.

Imagine a coordinated court process that not only holds people responsible for their conduct but also works to identify and resolve the problems of those people ready for help. Some people need to be incarcerated. More people just need help. A justice system must do both.

Rural Courts Initiative. Your justice system is committed to utilizing data and research to make data-driven decisions and policies that promote efficiencies and better services for Iowans. Using data, we have developed other projects that will increase the efficiency of our internal operations. We propose the “Rural Courts Initiative,” which will expand our presence in all ninety-nine counties and allow us to operate more efficiently by removing the artificial barriers preventing clerks in one county from assisting people in another county. We continue to look for new ways to make our clerk offices more efficient while still providing a physical presence in all counties. The judicial branch is committed to providing full-time, full-service access in all ninety-nine counties so Iowans can access their justice system. We see technology as a way to strengthen rural Iowa. Justice is a community responsibility, and a system of justice needs every community. Imagine a revitalized and bustling judicial branch presence in every courthouse in every county.

The Iowa Way: A Vision for the Future

Your justice system provides critical, unduplicated services to Iowans. We have a plan for the future that maintains our core services but maximizes our resources through technology and a physical presence in all ninety-nine counties. We are developing a culture of continuous improvement that is always searching for better ways to provide services to Iowans. We are committed to the transparency and accountability you need from us in order to make informed funding decisions. That is why we will issue an annual report next year with information on where we are succeeding and where there are opportunities for improvement. We will have the report to you by this time next year, with metrics and outcomes of our work. While this report will contain numbers, we promise to see each number as an Iowan to whom we are accountable to deliver on our promise of justice for all. Our annual report will showcase our culture, share our accomplishments and new endeavors, and lay the groundwork for greater justice for all. Imagine a justice system not only committed to achieving justice through its decisions but also using data it collects to advance justice and identify injustices that could not previously be seen.

While we have depended on technology to find improvements in the past, the technological revolution is coming at an unprecedented pace, and it will run us over if we do not get up to speed. Let me illustrate. It took the telephone seventy-five years to reach fifty million users, air travel sixty-eight years, the automobile sixty-two years, and television twenty-two years. Compare that to the four years it took the Internet to reach fifty million users. Facebook did it in 3½ years. Twitter did it in two years and Pokémon Go in nineteen days. It has been suggested that the 100 years of the 21st Century will, when they are concluded, feel more like 20,000 years of progress when compared to the 20th Century.

We simply can no longer proceed into the future thinking it will be a modest linear extension from where we are today. Imagine how my grandchildren will someday read a bedtime story to their grandchildren. New tools and a new understanding of our transforming world truly create an opportunity to do what we could not have previously imagined.

The Iowa way is to improve continuously. It is to plan, with each step taking us forward to the next, with each step as important as the next. Our future can no longer be about taking small steps or standing still. We need to think big and take big steps. Every day, we must seek to achieve what can be imagined.

All of us in this great chamber came into public service to make a difference. So, let us imagine together. Let us imagine what your courts can be and where they can take us in our pursuit to achieve justice for all Iowans. When we have a chance to make a difference we should take it. Let us make that difference together.

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 Whitver, the Senate adjourned at 10:41 a.m. until 9:00 a.m., Thursday, January 17, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

State Pseudorabies Advisory Committee, pursuant to Iowa Code section 166D.3. Report received on January 15, 2019.

Watershed Planning Advisory Council Report, pursuant to Iowa Code section 466B.31. Report received on January 15, 2019.

DEPARTMENT OF EDUCATION

Workforce Training and Economic Development (WTED) Fund Annual Report, pursuant to Iowa Code section 260C.18A. Report received on January 15, 2019.

IOWA TELECOMMUNICATIONS NETWORK

Iowa Telecommunications and Technology Commission, pursuant to Iowa Code section 8D.3. Report received on January 15, 2019.

JUDICIAL BRANCH

Cost-Effectiveness of the Specialty Courts Report, pursuant to 2018 Iowa Acts, HF 2492, section 22. Report received on January 15, 2019.

IOWA LOTTERY AUTHORITY

Quarterly Report Qtr Ending 12/31/18, pursuant to Iowa Code section 99G.7. Report received on January 16, 2019.

BOARD OF REGENTS

Annual Articulation Report, pursuant to Iowa Code section 262.9. Report received on January 15, 2019.

DEPARTMENT OF TRANSPORTATION

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 15, 2019.

REPORT OF THE SECRETARY OF THE SENATE

January 16, 2019

Iowa State Senate

Re: State Appeals Board Filings

Dear Senators:

The following documents are from the State Appeal Board for calendar year 2018 and cover the following four types of claims:

1. Claims of a general nature that were denied pursuant to statute.
2. Claims of a general nature that were denied as having been previously paid.
3. Claims of a general nature that were denied.
4. General Tort Claims, Highway Tort Claims and Settlements and Judgments paid under Iowa Code chapter 669.

Respectfully submitted,

W. Charles Smithson
Secretary of the Senate

(Documents on file with the Secretary of the Senate's Office.)

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, January 15, 2019, 3:05 p.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith.

Members Absent: Breitbach and Feenstra (both excused).

Committee Business: Discussed and passed rules.

Adjourned: 3:35 p.m.

JUDICIARY

Convened: Tuesday, January 15, 2019, 3:40 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Introductions.

Adjourned: 4:05 p.m.

STATE GOVERNMENT

Convened: Wednesday, January 16, 2019, 2:35 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Danielson, Dawson, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: Introductions.

Adjourned: 2:55 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 4, by Whiting, a joint resolution proposing an amendment to the Constitution of the State of Iowa limiting terms of service for members of the general assembly.

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

Senate Joint Resolution 5, by Jochum, a joint resolution proposing an amendment to the Constitution of the State of Iowa to make the Constitution of the State of Iowa gender neutral.

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

Senate Joint Resolution 6, by Kinney, a joint resolution requesting the calling of a constitutional convention for the exclusive purpose of proposing an amendment to the United States Constitution that will restore balance and integrity to our elections.

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

INTRODUCTION OF BILLS

Senate File 50, by Chapman, a bill for an act relating to landowner wild turkey and deer hunting tags.

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

Senate File 51, by Whiting, a bill for an act relating to lighted lamps on bicycles and bicycle riders, making penalties applicable, and including effective date provisions.

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

Senate File 52, by Whiting, 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 under Rule 28 and referred to committee on **Judiciary**.

Senate File 53, by Chapman, a bill for an act prohibiting employer control of employee political contributions.

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

Senate File 54, by Hogg, a bill for an act prohibiting public and accredited nonpublic schools and postsecondary educational institutions from scheduling classes, activities, or events during presidential precinct caucuses and including effective date provisions.

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

Senate File 55, by Ragan and Kinney, 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 56, by Jochum, a bill for an act providing for the registration of eligible electors upon review of electronic records received from state agencies and including effective date provisions.

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

Senate File 57, by Shipley and Dawson, a bill for an act relating to the mistreatment of certain animals other than livestock and wildlife, by providing for criminal offenses, including penalties.

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

Senate File 58, by Shipley, a bill for an act allowing certain vans and pickups to be used to transport pupils to activity events or from school to home in emergency situations.

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

Senate File 59, by Segebart, a bill for an act relating to the redemption and handling of beverage containers and including effective date provisions.

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

Senate File 60, by Segebart, a bill for an act 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.

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

Senate File 61, by Dawson, a bill for an act relating to motor vehicle registration fees for disabled veterans.

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

Senate File 62, by Dawson, a bill for an act relating to the expiration of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary, and including applicability provisions.

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

Senate File 63, by Dawson, a bill for an act relating to assistance animals and service animals in housing and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions.

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

Senate File 64, by Zaun, a bill for an act relating to the creation of a green alert program for missing veterans-at-risk.

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

Senate File 65, by Bisignano, a bill for an act automatically restoring the right to vote and hold elective office for persons who have been discharged from probation, parole, or work release, or who have been released from confinement.

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

Senate File 66, by Shipley, a bill for an act establishing the minimum age relative to various activities relating to vapor products, and making penalties applicable.

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

Senate File 67, by Shipley, a bill for an act relating to standards for carbon monoxide protection and making penalties applicable.

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

STUDY BILLS RECEIVED

SSB 1026 Judiciary

Relating to home improvement fraud and providing penalties for contractors who commit home improvement fraud.

SSB 1027 Judiciary

Relating to the transportation of dead bodies.

SSB 1028 Labor and Business Relations

Relating to hours of employment permitted under the state child labor law.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2**

APPROPRIATIONS: Costello, Chair; Bolkcom and Koelker

Senate File 10

JUDICIARY: Garrett, Chair; Bisignano and Schultz

Senate File 11

JUDICIARY: Garrett, Chair; Hogg and Schultz

Senate File 12

JUDICIARY: Sweeney, Chair; Kinney and Zaun

Senate File 13

JUDICIARY: Schultz, Chair; Bisignano and Whiting

Senate File 14

JUDICIARY: Shipley, Chair; Sinclair and R. Taylor

Senate File 20

AGRICULTURE: Kapucian, Chair; Kinney and Zumbach

Senate File 44

JUDICIARY: Dawson, Chair; Kinney and Sweeney

Senate File 45

JUDICIARY: Chapman, Chair; Bisignano and Garrett

Senate File 52

JUDICIARY: Whiting, Chair; Hogg and Shipley

SSB 1026

JUDICIARY: Sweeney, Chair; Kinney and Whiting

SSB 1027

JUDICIARY: Zaun, Chair; Kinney and Sinclair

SSB 1028

LABOR AND BUSINESS RELATIONS: Nunn, Chair; Dotzler and Whiting

PRESENTATION OF VISITORS

Senator Behn welcomed to the Senate chamber 5th through 8th grade students from Trinity Lutheran School in Boone, Iowa, who were present in the northeast balcony.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 17, 2019

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by Pastor LeAnn Stubbs of Plymouth United Church of Christ in Des Moines, Iowa. She was the guest of Senator Petersen.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kate Hapgood.

The Journal of Wednesday, January 16, 2019, 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 9:08 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:49 a.m., President Schneider presiding.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 4, duly adopted, the joint convention was called to order at 9:55 a.m., President Schneider presiding.

Senator Whitver 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 Whitver 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 Cournoyer, Danielson, and Miller-Meeks on the part of the Senate, and Representatives Lohse, A. Meyer, and Sunde on the part of the House.

Senator Whitver 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 Dawson, Nunn, and R. Taylor on the part of the Senate, and Representatives Gustafson, B. Meyer, and Thompson on the part of the House.

Secretary of State, Paul D. Pate; Secretary of Agriculture, Mike Naig; State Auditor, Rob Sand; State Treasurer, Michael Fitzgerald; 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; and special guest, Consulate General Xhavit Gashi of Kosovo 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 and escorted him to the Speaker's station.

President Schneider presented Major General Tim Orr, Adjutant General of the Iowa National Guard. Major General Orr delivered the following Condition of the Guard Address:

Good morning and thank you for your warm welcome.

Governor Reynolds, Lieutenant Governor Gregg, Mr. President, Madam Speaker, legislative leaders, senators, representatives, distinguished guest, family, friends, my fellow Iowans, I am honored to be here this morning to provide an update on the Condition of the Iowa National Guard.

As I begin this morning I want to once again thank Governor Reynolds and Lieutenant Governor Gregg for their strong and enduring support of our Soldiers, Airmen, their families and civilian employees.

Your untiring efforts on behalf of our military, is greatly appreciated.

Thank you for attending our send-off and welcome home ceremonies, and thanks for being a part of last week's patching ceremony, where we initiated more than 120 new Soldiers into the Iowa Army National Guard as they begin their journey of service to our State and Nation.

Likewise, I want to thank you, our citizen-legislators, for all you do to support the Iowa National Guard and all Iowans who serve in uniform.

And finally, thanks to the citizens of Iowa for their incredible support, which is absolutely vital to our continued success.

Since our founding nearly 180 years ago, the Iowa National Guard has strived to accomplish every mission assigned, respond without fail to natural and manmade disasters here at home, and deployed abroad to meet the national security needs of our country.

The profession of arms is one of service above self.

No profession asks more of its members than serving ones country in uniform.

We are entrusted with the defense of our nation, the protection of our citizens, and the preservation of our way of life.

As National Guard members we serve both as protectors of our state, and when called, in defense of our nation.

Our legendary Iowa National Guard reputation was earned through the blood, sweat, and hard work of those who came before, and is proudly carried on by those who serve today.

We are committed to preserving this legacy and passing it on to those who step forward to take up the mantle of defending our state and nation in the years to come.

We share common attributes of integrity, courage, competence, and as military professionals, we are defined by our strength of character, life-long commitment to Army and Air Force values, and a dedication to mission accomplishment.

I am so proud to serve with the men and women of the Iowa National Guard, they are true professionals in every sense of the word and who have sworn an oath to defend our state and nation with their honor, with their service, and with their very lives.

Our Soldiers and Airmen are treasures that benefit our society in ways large and small, making a difference every day in their communities and adding value to our state and nation beyond their military service.

Recruiting and retaining quality individuals is our highest priority.

In doing so we must broaden the appeal of military service to include people from across the fabric of our society.

The strength of our Republic depends on willing individuals from every corner of our state, every social economic, and demographic group, and every ethnic background, to step forward and serve alongside their fellow citizens.

As I've reported before and is well documented in the media, the burden of national defense is currently borne by less than one percent of our population.

And nearly 80 percent of those who do serve come from families with multiple generations of military service.

The pride and honor of military service should not be reserved for just those who hail from a tradition of military service.

It is an opportunity that must be available and sought throughout society in order to balance the responsibilities of national defense across all 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 of ten 17 to 24 year-olds eligible for military service, there's concern among military and civilian leaders alike about the readiness of our military forces to defend this nation in the years to come.

In order to sustain a strong democracy and ensure the safety and security of our citizens both at home and abroad, we must encourage young Americans to consider military service as a viable and honorable option.

Experiences gained through military service provide a lifetime of personal and professional benefit.

It provides life and professional skills that translate to a significant lower unemployment rate of 2.7% for veterans, compared to a national average for the general population of 3.5%.

Beyond the practical benefit of gaining marketable skills to better their lives, military service gives young people a chance to serve a cause greater than themselves.

This is something that study after study tells us is critically important to Centennials, a generation of young men and women, who strive to live a life of meaning.

Because of this, our Iowa National Guard motto of "We live here, we work here, we serve here" is more fitting today than ever before.

For those seeking greater meaning in their lives, the Iowa National Guard provides a multitude of opportunities to make a difference.

Our Soldiers and Airmen serve for many reasons:

To be an integral part of a world class team.

To seek leadership and training opportunities.

To gain hands-on experience working with state-of-the-art technology and equipment.

To graduate debt-free with a two-year, four-year or technical school degree.

To learn an occupational skill that leads to meaningful employment.

To secure their financial future with a military retirement.

To carry on a proud tradition of family service.

Or to just be part of something bigger than themselves.

To do something that 99% of the population will never experience.

No matter the reason, we are grateful for their service and the value they add to the well-being of our state.

As we look around the globe, both here at home and abroad, the challenges we face today are among the most complex and demanding that I have seen in over 40 years of military service.

In order to meet these challenges, we are committed to ensuring the Iowa National Guard remains ready and resourced to accomplish our four core priorities:

(1) Defending our state and nation;

(2) Protecting Iowa and the US homeland;

(3) Building enduring partnerships at the local, state, federal and international levels; and

(4) Making our communities better places to live.

Defending our state and nation is our number one priority.

We do this by providing ready forces to the President of the United States and the Governor of Iowa when called.

Our state's contribution in providing ready forces is significant.

Since September 11, 2001, the Iowa National Guard has mobilized and deployed more than 19,000 Iowa National Guard Soldiers and Airmen.

There is no doubt that Iowa has done and will continue to do its part to defend our state and nation.

As we sit here today, nearly 300 Iowa National Guard Soldiers and Airmen are deployed supporting overseas contingency operations in US Central and US Southern Command Areas of Operations.

In September, approximately 400 Soldiers assigned to the 248th Aviation Support Battalion from Muscatine, Davenport, Waterloo, and Boone returned home from the Middle East where they provided aviation maintenance and logistical support to a combat aviation brigade.

The 248th received the Army's 2018 Outstanding Aviation Logistics Support Unit award for superior theater-wide support of Operations Inherent Resolve and Spartan Shield, operating at 12 locations across Kuwait, Iraq, Syria, Jordan and Turkey.

An example of the Iowa work ethic our Soldiers and Airmen bring to the fight is that of Captain Joshua Gates from Council Bluffs.

Captain Gates, a company commander with the 248th Aviation Support Battalion, recently returned from his third overseas deployment.

He enlisted in the Iowa National Guard in 1999 and commissioned as a Second Lieutenant through the Iowa National Guard's Officer Candidate School in 2013.

His personal example of service and commitment extends beyond his military uniform.

When not serving his state and nation, Captain Gates serves his community as an Emergency Medical Technician and Firefighter with the Council Bluffs Fire Department.

One Soldier, making twice the difference in and out of his military uniform, CPT Gates please stand to be recognized.

This past year, the Iowa Air National Guard was also fully engaged supporting overseas missions and other active duty requirements.

The 185th Air Refueling Wing in Sioux City deployed more than 200 Airmen to the Middle East where they provided critical support to theater commanders and continue to provide ongoing air refueling support for real-world missions.

The 133rd Test Squadron in Fort Dodge deployed approximately 60 members to the Middle East where they conducted critical testing on Air Force Command and Control systems.

The 132nd Wing in Des Moines deployed nearly 100 Airmen around the globe to provide overseas contingency support and continues on a daily basis to support overseas operations from home by performing remotely piloted aircraft missions, intelligence analysis, and cyber security tasks.

While deployed, SSgt Rik Zortman from Avoca, Iowa, spends his spare time creating awareness for cancer and has helped raise close to \$10,000 for two organizations fighting childhood cancer, in memory of his son Armstrong, who he lost to this horrible disease.

Known as the human etch-a-sketch, SSgt Zortman runs pre-determined patterns that spell out the names of children affected by cancer on a map.

Since July 2017, he has sketched close to 300 names and has run over 930 miles for this cause.

SSgt Zortman's passion for serving others is a bedrock Iowa National Guard value. SSgt Zortman cannot be with us today, he is currently serving overseas.

Here at home, our second priority is to be the primary military crisis response force for Iowa, and the United States when necessary.

To do this, we capitalize on the experience and capabilities gained from our federal deployments and military training to assist civilian authorities in responding to large scale natural and man-made disasters here in Iowa.

Thankfully, 2018 was a relatively quiet year for our emergency response operations. We used this time to further plan, prepare, and rehearse for potential disaster response operations on a multitude of scenarios.

Part of these plans include working with other state agencies and several local communities to develop a multi-agency exercise that will occur in Woodbury County later this year.

This exercise will improve our ability to prepare for and respond to complex domestic emergencies.

Another area of increased state support is within the cyber security field.

The 168th Air National Guard's Cyber Operations Squadron, located in Des Moines, is uniquely organized to assist our state with professionally trained cyber-warriors during a potential cyber security attack on critical infrastructure.

The 168th Cyber Operations Squadron works with local, state, and independent organizations to plan and conduct cyber response table top exercises in order to determine potential cyber security vulnerabilities.

Many of those who serve in the 168th Cyber Squadron are part-time Traditional Airmen, working as either IT professionals in civilian companies, public institutions, or are students taking advantage of state educational benefits to obtain higher level cyber security credentials and degrees.

These uniquely skilled cyber warriors are a valuable asset in both their service to our state and nation, and as highly trained IT employees available to our state's companies and public institutions.

A fine example of this is Airman First Class Josiah Reeves, a farm kid from Maxwell, where he was homeschooled and worked part-time at Hy-Vee before joining the Iowa Air National Guard in 2018.

Growing up, Airman First Class Reeves had a passion for working with electronics and the technical training offered by the Iowa Air Guard made his enlistment an easy decision.

Airman First Class Reeves graduated from Air Force tech school this past September and now currently serves full-time with the 132nd Wing at the Des Moines Air Base.

The Iowa National Guard provided this Citizen-Airmen training and employment opportunities and next fall he plans to use his education benefits to pursue a STEM focused degree at Iowa State University. Airman Reeves, please stand to be recognized.

Another important domestic support asset we have in the state is the Iowa National Guard's Counterdrug program and Midwest Counter Drug Training Center.

This federally funded program, which has existed since 1989, plays an important role in helping reduce the supply and demand of illicit drugs in the State of Iowa.

In addition, this center provides critical training at no cost to local law enforcement personnel and drug prevention and treatment professionals.

The Iowa National Guard is an important partner in the fight against opioid abuse.

In 2018, the Counterdrug program trained 824 law enforcement officers across the state 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 180,000 fatal doses, and nearly 15 pounds of heroin, were seized and taken off the street in Iowa.

And in 2018, more than \$63 million in drugs and \$3.5 million in cash and assets were seized from drug dealers in Iowa with the assistance of the Iowa National Guard's Counterdrug program.

Our third priority is building enduring partnerships at the local, state, federal, and international levels.

One of our most important collaborations is through our State Partnership Program with the Kosovo Security Force and the Republic of Kosovo through our whole of society partnering endeavor.

Last May, we participated in Eagle 6, an international disaster response capstone training exercise, with our Kosovo Security Force partners.

This exercise brought together over 8 international countries, 55 Iowa National Guard Soldiers and Airmen, and our Kosovo Security Force partners to test their ability to respond quickly and effectively during an international natural disaster response.

Another vital element to the success of our Kosovo partnership is our whole of society vision, which has expanded this important program of exchanges far beyond the Iowa National Guard into our local communities.

Today, a number of Sister City relationships between cities in Kosovo and Iowa have developed.

The cities of Johnston, Fort Dodge, Norwalk, and Des Moines have all created official partnerships with cities in Kosovo while Sioux City and Dubuque are working to finalize their agreements.

A critical element to the success of our Kosovo partnership is Consul General Xhavit Gashi. General Gashi has been a part of this special relationship from the beginning.

From his time as the Kosovo Security Force Attaché in Washington, D.C., to his work for the last three years as Kosovo's top diplomat in Iowa, General Gashi played a key role in making this partnership the best in the country.

I am honored that he is with us this morning and I am proud to call him a friend and partner. Ladies and Gentlemen, please join me in thanking General Gashi for his tireless work on behalf of his fellow citizens in Kosovo and his friends in Iowa.

My fourth and final priority is working to make our communities better places to live for everyone.

One of the ways we do this is through our collaboration with the Governor's STEM Advisory Council as well as working with Career and Technical Education, or CTE programs.

Unique to the Iowa National Guard, we offer a wide variety of educational and career opportunities for students interested in STEM and CTE career fields.

This past summer we hosted two high school teachers, one from Waukee and one from West Des Moines Valley, for six weeks as part of the State's STEM externship program.

These educators spent time at multiple Iowa National Guard facilities working in a variety of STEM-related career fields to gain firsthand knowledge of how to take an educational STEM standard and apply it in a real-world setting.

The combination of hands-on learning, coupled with strong educational connections, enable these teachers to now engage their students in more meaningful and substantial ways.

Understanding the science behind how a helicopter flies through the air or the mathematical calculations that enable operators to pilot an unmanned aerial vehicle from half a world away, allows students to experience STEM related concepts in action.

An example of this is Senior Airman Jessica Thomerson, of the 233rd Intelligence Squadron, Iowa Air National Guard, who recently supported disaster response planning during exercise PATRIOT NORTH 18 at Fort McCoy and Volk Field, Wisconsin.

While flying missions with the Civil Air Patrol she pioneered a means for transmitting overhead pictures via radio frequency to help first-responders immediately assess damage from natural disasters and access routes to help victims.

Airman Thomerson, a Des Moines native and current DMACC community college student, takes her real-world experience gained through the military, and uses it to mentor kids studying STEM related topics in the classroom.

Her passion for education and action, helps lead STEM engagements that inspire students in learning core concepts while having fun with hands-on projects.

Airman Thomerson provides value to her community, state and nation through her training and service with the Iowa National Guard, Airman Thomerson, please stand to be recognized.

We are able to add value back into our communities because the state has invested in the Iowa National Guard through support of important programs such as the Iowa National Guard Educational Assistance Program, or NGEAP.

NGEAP, which is administered by our friends at the Iowa College Student Aid Commission, provides our Soldiers and Airmen an opportunity to further their education at institutions of higher learning throughout the state of Iowa.

Thanks to your generous support, nearly 1,200 Iowans a year, who choose to serve their state and Nation in the Iowa National Guard, have 100% of their tuition paid at the State Regents' rate to attend Iowa colleges, universities, and community colleges. Because of the NGEAP program, the Iowa National Guard is able to keep young people in the state while providing them with a high-quality Iowa education.

NGEAP is much more than simply a benefit to our Soldiers and Airmen, it is the beginning of a professional career path that provides opportunities through intensive training, education, leadership and practical experience.

When combined with a life-long commitment to Army and Air Force values, numerous STEM/CTE opportunities, and our committed diversity outreach programs, the Iowa National Guard offers a diverse foundation of education, service, and flexible career choices for young Iowans across the state to consider.

As you leave here today, I ask that you carry our message back to your districts and local communities, share our stories of service, opportunity, and encourage all young Iowans to consider serving in the Iowa National Guard.

As I come to a close, history reminds us that our state and nation will undoubtedly face domestic or international challenges now and in the future, but you can take comfort knowing that the Iowa National Guard is poised to respond when called.

We stand ready to Defend America, at home and abroad, just as we have done continuously since 1839.

I am so very proud of all our service men and women, 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 Soldiers, Airmen, and their families, thank you for this opportunity to provide you with an update on the Condition of the Iowa National Guard.

Thank you ladies and gentlemen.

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 Whitver, the Senate adjourned at 10:36 a.m. until 8:00 a.m., Friday, January 18, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF ADMINISTRATIVE SERVICES

Capitol Planning Commission, pursuant to Iowa Code section 8A.373. Report received on January 17, 2019.

Equal Opportunity–Contract Compliance Policy Report, pursuant to Iowa Code section 19B.7. Report received on January 17, 2019.

DEPARTMENT OF EDUCATION

Workforce Training and Economic Development (WTED) Fund Annual Report, pursuant to Iowa Code section 260C.18A. Report received on January 17, 2019.

DEPARTMENT OF NATURAL RESOURCES

Quarterly Expenditure Report–Qtr. ending 09/30/18, pursuant to 2018 Iowa Acts, HF 2491, section 11. Report received on January 17, 2019.

Quarterly Expenditure Report–Qtr. ending 12/31/18, pursuant to 2018 Iowa Acts, HF 2491, section 11. Report received on January 16, 2019.

BOARD OF REGENTS

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 17, 2019.

UIHC Audited Financial Report, pursuant to Iowa Code section 263A.13. Report received on January 17, 2019.

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Wednesday, January 16, 2019, 2:30 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 3:05 p.m.

WAYS AND MEANS

Convened: Wednesday, January 16, 2019, 4:00 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Danielson, Dotzler, Edler, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Nunn (excused).

Committee Business: Rules.

Adjourned: 4:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 17, 2019, 1:00 p.m.

Members Present: Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; and Whiting.

Members Absent: R. Taylor(excused).

Committee Business: Organizational meeting.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, January 17, 2019, 1:00 p.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Rules.

Adjourned: 1:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 17, 2019, 1:00 p.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkom, and Miller- Meeks.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 17, 2019, 1:05 p.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; and T. Taylor.

Members Absent: Carlin (excused).

Committee Business: Organizational meeting.

Adjourned: 1:25 p.m.

INTRODUCTION OF BILLS

Senate File 68, by Edler, a bill for an act relating to immunity from civil liability for disaster response by volunteers who enter upon or in private property without express consent of the owner, lessee, or person in lawful possession.

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

Senate File 69, 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 70, by Danielson, a bill for an act relating to school building emergency operations plans by authorizing investigations of unplanned fire alarm activations prior to initiation of regular evacuation and safety procedures.

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

STUDY BILLS RECEIVED

SSB 1029 Education

Relating to a financial literacy requirement under the state's educational standards.

SSB 1030 Education

Relating to eligibility for the health care loan repayment program.

SSB 1031 Education

Relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial teacher licensure and providing for related matters.

SSB 1032 Education

Relating to incentives for whole grade sharing and school district reorganization or dissolution.

SSB 1033 Education

Relating to special minor's driver's licenses for students attending accredited nonpublic schools.

SSB 1034 Education

Relating to voluntary diversity plans under the state's open enrollment law.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 1**

EDUCATION: Sweeney, Chair; Wahls and Zaun

Senate Joint Resolution 1

EDUCATION: Lofgren, Chair; J. Smith and Zaun

Senate File 4

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Celsi and Kapucian

Senate File 5

NATURAL RESOURCES AND ENVIRONMENT: Segebart, Chair; Hogg and Rozenboom

Senate File 6

LOCAL GOVERNMENT: Lofgren Chair; Greene and Hogg

Senate File 15

HUMAN RESOURCES: Costello, Chair; Carlin and Ragan

Senate File 16

HUMAN RESOURCES: Miller-Meeks, Chair; Bolkcom and Edler

Senate File 17

HUMAN RESOURCES: Costello, Chair; Bolkcom and Greene

Senate File 18

HUMAN RESOURCES: Garrett, Chair; Edler and Mathis

Senate File 19

HUMAN RESOURCES: Greene, Chair; Garrett and Quirmbach

Senate File 24

COMMERCE: Breitbach, Chair; Bolkcom and Brown

Senate File 27

EDUCATION: Behn, Chair; Wahls and Zaun

Senate File 28

EDUCATION: Cournoyer, Chair; Quirmbach and Zaun

Senate File 29

EDUCATION: Zaun, Chair; Celsi and Edler

Senate File 30

EDUCATION: Zaun, Chair; Kraayenbrink and Quirmbach

Senate File 31

EDUCATION: Zaun, Chair; Celsi and Johnson

Senate File 32

EDUCATION: Lofgren, Chair; Rozenboom and J. Smith

Senate File 33

HUMAN RESOURCES: Segebart, Chair; Carlin and Ragan

Senate File 34

COMMERCE: Brown, Chair; Bisignano and Chapman

Senate File 38

WAYS AND MEANS: Feenstra, Chair; Carlin and Dotzler

Senate File 39

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Chapman

Senate File 40

WAYS AND MEANS: Chapman, Chair; Bolkcom and R. Smith

Senate File 46

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Segebart

Senate File 47

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Zumbach

Senate File 48

AGRICULTURE: Shipley, Chair; Costello and Wahls

Senate File 49

LOCAL GOVERNMENT: Garrett, Chair; Guth and Quirmbach

Senate File 50

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer Chair; Boulton and Zumbach

Senate File 54

EDUCATION: Sinclair, Chair; Danielson and Zaun

Senate File 59

NATURAL RESOURCES AND ENVIRONMENT: Segebart, Chair; Celsi and Rozenboom

Senate File 60

HUMAN RESOURCES: Segebart, Chair; Jochum and Johnson

Senate File 65

JUDICIARY: Sweeney, Chair; Bisignano and Dawson

Senate File 66

JUDICIARY: Shipley, Chair; Chapman and R. Taylor

SSB 1029

EDUCATION: Edler, Chair; Danielson and Sinclair

SSB 1030

EDUCATION: Kraayenbrink, Chair; Cournoyer and Quirmbach

SSB 1031

EDUCATION: Johnson, Chair; Lofgren and Quirmbach

SSB 1032

EDUCATION: Sweeney, Chair; Cournoyer and Danielson

SSB 1033

EDUCATION: Rozenboom, Chair; Danielson and Sweeney

SSB 1034

EDUCATION: Behn, Chair; Danielson and Zaun

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY FIFTH SESSION DAY

Community Choice Credit Union Convention Center
Des Moines, Iowa, Friday, January 18, 2019

The Senate met in regular session at 8:10 a.m., President Schneider presiding.

Prayer was offered by The Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Schneider.

The Journal of Thursday, January 17, 2019, was approved.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 5, duly adopted, the Senate proceeded to the joint convention with the House in Rooms 303 and 304 of the Community Choice Credit Union Convention Center.

JOINT CONVENTION

The joint convention was called to order in the Community Choice Credit Union Convention Center, adjacent to Wells Fargo Arena, in downtown Des Moines at 8:16 a.m., President Schneider presiding.

Senator Whitver moved that the roll call be dispensed with and that the President be authorized to declare a quorum present, which motion prevailed by a voice vote.

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

REPORT OF CANVASS OF VOTE

The report of the canvass of the vote was read by Carmine Boal, the Secretary of the Joint Convention, as follows:

MISTER PRESIDENT AND GENTLEMEN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 6, 2018, beg leave to make the following report of the total vote cast for Governor:

| | |
|----------------------|---------|
| Kim Reynolds..... | 667,275 |
| Fred Hubbell..... | 630,986 |
| Jake Porter | 21,426 |
| Gary Siegwarth. | 7,463 |
| Scattering..... | 488 |

And the total vote cast for Lieutenant Governor at the election, held November 6, 2018:

| | |
|--------------------------|---------|
| Adam Gregg..... | 667,275 |
| Rita R. Hart..... | 630,986 |
| Lynne Gentry..... | 21,426 |
| Natalia Blaskovich | 7,463 |
| Scattering..... | 488 |

All of which is most respectfully submitted.

ROBY SMITH
Teller of the Senate
KEN ROZENBOOM
Assistant Teller
LIZ MATHIS
Assistant Teller
CARMINE BOAL
Chief Clerk of the House and Secretary of the Joint Convention

JON A. JACOBSEN
Teller of the House
THOMAS M. JENEARY
Assistant Teller
JOANNE OLDSON
Assistant Teller

Senator R. Smith moved the adoption of the report.

The motion prevailed by a voice vote and the report was adopted.

President Schneider announced that the Honorable Kim Reynolds, having received the highest number of votes cast for Governor at the last general election, had been duly elected to the office of Governor of the State of Iowa for the ensuing term, or until a successor is duly elected and qualified; and the Honorable Adam Gregg, having received the highest number of votes cast for Lieutenant Governor at the last general election, had been duly elected to the office of Lieutenant Governor of the State of Iowa for the ensuing term, or until a successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention:

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Eighty-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 6, 2018, for the office of Governor of the State of Iowa, it appeared that Kim Reynolds received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this eighteenth day of January, A.D., 2019.

LINDA UPMEYER
Speaker of the House
ROBY SMITH
Teller of the Senate
JON A. JACOBSEN
Teller of the House
CARMINE BOAL
Chief Clerk of the House and Secretary of the Joint Convention

CHARLES SCHNEIDER
Presiding Officer of the
Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Eighty-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 6, 2018, for the office of Lieutenant Governor of the State of Iowa, it appeared that Adam Gregg received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this eighteenth day of January, A.D., 2019.

LINDA UPMEYER
Speaker of the House

ROBY SMITH
Teller of the Senate

JON A. JACOBSEN
Teller of the House

CARMINE BOAL
Chief Clerk of the House and Secretary of the Joint Convention

CHARLES SCHNEIDER
Presiding Officer of the
Joint Convention

President Schneider then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Whitver moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor-elect Reynolds and Lieutenant Governor-elect Gregg of the official result of the canvass of votes.

The motion prevailed by a voice vote and President Schneider announced the appointment of Senators Brown of Mitchell, Zumbach of Delaware, and Bolkcom of Johnson, on the part of the Senate, and Representatives Wheeler of Sioux, Hite of Mahaska, and Nielsen of Johnson, on the part of the House.

REPORT OF COMMITTEE

Senator Whitver moved the adoption of the report by the joint committee appointed to notify Kim Reynolds and Adam Gregg of their election to the office of Governor and Lieutenant Governor.

MR. PRESIDENT: As a committee appointed at the Joint Convention to notify the Honorable Kim Reynolds and the Honorable Adam Gregg of their election to the office of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume the duties of the offices to which they were elected.

Respectfully submitted,

WAYLON BROWN
DAN ZUMBACH
JOE BOLKCOM

SKYLER WHEELER
DUSTIN HITE
AMY NIELSON

The motion prevailed by a voice vote and the committee was discharged.

The joint convention stood at ease at 8:22 a.m. and proceeded to the convention center ballroom for the inauguration of Governor-elect Kim Reynolds and Lieutenant Governor-elect Adam Gregg.

State Auditor, Rob Sand; Attorney General, Tom Miller; Secretary of State, Paul Pate; Secretary of Agriculture and Land Stewardship, Mike Naig and State Treasurer, Michael Fitzgerald were seated prior to the Joint Convention.

The joint convention resumed session at 9:21 a.m., President Schneider presiding.

The Legislative Inaugural Committee, consisting of Senators Kapucian of Benton, Sinclair of Wayne, Sweeney of Hardin, Jochum of Dubuque, Mathis of Linn, and Celsi of Polk, on the part of the Senate, and Representatives Hagenow of Polk, Hinson of Linn, Lundgren of Dubuque, Prichard of Floyd, Anderson of Polk, and R. Smith of Black Hawk, on the part of the House, retired to escort Governor-elect Kim Reynolds and Lieutenant Governor-elect Adam Gregg to the joint convention.

“America the Beautiful” was sung by Simon Estes.

“The Blessing”, was sung by the Iowa State University Cantamus Women’s Choir.

The family of Lieutenant Governor-elect Gregg was escorted to their seats.

The family of Governor-elect Reynolds was escorted to their seats.

Pastor Craig Ferguson, of Johnston River of Life United Methodist Church, was escorted to his seat.

Pastor Chuck DeVos of the Osceola Assembly of God Church was escorted to his seat.

Pastor Mike Housholder of Lutheran Church of Hope was escorted to his seat.

Chief Justice Mark S. Cady was escorted to his seat.

Justice Susan Christensen was escorted to her seat.

The Official 2019 Inaugural Committee was escorted to their seats.

Lieutenant Governor-elect Adam Gregg and his wife, Cari Gregg, were escorted to their seats by Brigadier General Shawn Ford.

Governor-elect Kim Reynolds and her husband, Kevin Reynolds, were escorted to their seats by Major General Tim Orr.

The Advancement of Colors was led by members of the Iowa National Guard.

The National Anthem was sung by the Bridges to Harmony Gospel Choir from Roosevelt High School in Des Moines.

The invocation was delivered by Pastor Craig Ferguson.

Chief Justice Mark S. Cady administered the oath of office to Lieutenant Governor-elect Adam Gregg, who was assisted by his wife, Cari Gregg.

President Schneider presented Lieutenant Governor Adam Gregg, who gave the following remarks:

Madam Governor, Mr. President, Madam Speaker, members of the General Assembly, elected officials, justices and judges, family, friends, and fellow Iowans...

What an honor it is to stand before you today as this state's 47th lieutenant governor.

Among our state's former lieutenant governors are governors, ambassadors, senators, judges, business leaders, education leaders, and honorable public servants—company I certainly don't deserve, but which I'm incredibly honored and humbled to keep.

The most important thing I want to say today is this: thank you for giving me this opportunity to serve. It's truly the honor of a lifetime to serve the people of Iowa, and I will forever be grateful for this opportunity.

There are a few people I'd like to especially thank.

First of all, to my wife Cari, and my children Jackson and Lauren. Thank you for the silent sacrifice each of you make every day to allow me to serve. Cari not only works full time, but she takes on more than her fair share of the load at home to make things work. I simply could not do this job without her.

No matter how hard I try, Jackson and Lauren see less of their dad than they should. Public service is a sacrifice, but oftentimes the sacrifice is theirs. Jackson and Lauren, my goal is to never lose sight of the fact that my most important job is being your dad. My hope is that you will see the honor and privilege that public service represents, and will someday seek to model that for your own children. Thank you, Cari, Jackson, and Lauren for your unconditional love and support.

To my parents, Larry and Carol. Thank you for being my first supporters, and my champions from day one—whether that's been on the football field, or an even more dangerous arena—politics! Most of all, thank you for giving me a gift that seems to be increasingly rare—a stable home, and a loving family.

And of course, Madam Governor: thank you for placing your confidence in me to serve alongside you in this role. I think one of the reasons Iowans chose you as their governor is because they can see so much of themselves in you. You are undoubtedly "one of us."

But I must say, the things I respect and admire most about you are the things that make you distinctly uncommon. Iowa's only president, Herbert Hoover, famously noted "that the great human advances have not been brought about by mediocre men and women. They were brought about by distinctly uncommon people with vital sparks of leadership."

Governor, what I admire most is your uncommon strength to overcome challenges; your uncommon grit to persevere; your uncommon record of public service; and, perhaps most uncommon of all, your history-making rise to become Iowa's first female governor.

You're the one who shattered that glass ceiling under the golden dome. You're the one who made it possible for little girls to know that even they, someday, might achieve the highest level of leadership in our state. You're the one who made history.

That's a distinction no one else can or will ever hold. You will be eternally uncommon for that accomplishment. I, along with the people of the state of Iowa, will be eternally thankful for that. Will you all please join me in saying thank you to Governor Reynolds?

We are living in a fast-changing economy, and it's impacting everything around us. I heard a quote recently from an economist which I think captures the scale of it. I'll paraphrase what he said:

"A billion hours ago, the modern human race emerged. A billion minutes ago, Christianity began. A billion seconds ago, the first PC was released. A billion Google searches ago.... was earlier this morning."

Yes, technology is changing everything very rapidly—from the way we access and use information, to the way we produce and purchase goods, to the way we connect to one another, to the way we need to educate our children and our workforce, to the very face of our nation and state.

The challenges this changing economy presents may prove to be especially profound in the rural parts of our state— or perhaps they represent our great opportunity.

Governor Reynolds has very clearly made rural Iowa a priority for our administration. I especially appreciate the opportunity she's given me to lead the Governor's Empower Rural Iowa Initiative.

Empowering rural Iowa is all about making sure our entire state is positioned to be successful today and in the future.

There is incredible opportunity in our state. As I like to say, in Iowa, you can have it all. You can have a good job, a house with a yard, a very reasonable commute - or no commute at all in our smaller towns. You can live in a safe neighborhood, and you can send your kids to good schools. You can be a meaningful part of your community, and your state.

That's unique—that's not true everywhere in our country. In most places, you have to choose among those things.

But in Iowa, you can have all that if you want it. That's the kind of quality of life and opportunity we need to preserve and expand in every corner of our state - and it's uniquely available in rural Iowa.

Despite changing demographics, despite changing economics, despite changing technology, together we can position rural Iowa to not just survive in this new economy, but to thrive.

It won't be easy—if it were easy it would already be done. There's no single silver bullet solution - we'd have already found it.

But through hard work and creative thinking and problem-solving, we can make Iowa the place to seek the American dream in this new economy. Where you can have a nice, safe place to live. Where you can attain the education you need to have a career and support your family. And where you can connect to the rest of the world - whether that's to sell your product, monitor your livestock, operate your machinery - or simply to let your kids battle their friends in Fortnite!

There are two paths for rural Iowa as I see it—we can acquiesce to wherever an uncertain future takes us. Or we can fight like heck to make sure that same rural character—that same quality of life and opportunity—exists for our kids and grandkids. As long as Governor Reynolds and I are around, we're going to fight for rural prosperity.

Speaking of the American dream, I'd like to take a moment to talk to you about two individuals who embody that dream for me. More specifically, I'd like to tell you about two mementos I keep that remind me of them, and what they stood for. One is a Bible. The other is a flag.

When I was sworn in a moment ago, I placed my hand on a Bible which was once the property of Lauren Leaders. He was my grandpa, my mom's dad, and the namesake of my daughter Lauren. And he's one of the best men I was ever lucky enough to know.

They say the condition of your soul is in an inverse relationship with the condition of your Bible. Well, Grandpa's soul must have been darn near pristine, because his Bibles were torn to shreds. And not just one Bible. After he passed away, we found boxes full of the Bibles he'd worn down over the years. Dozens of them. The one I used today is circa 2007, one of his last, certainly in the best condition.

The other memento I keep is the American flag that adorned the casket of Glenn Gregg. He was also my grandpa, my dad's dad, a World War II veteran and the namesake of my son, Jackson Glenn. That flag reminds me of the service he so willingly gave for our country.

Serving in the infantry in Europe, he eventually he took a bullet in his leg while fighting along the Belgian-German border. But for some reason, he never received the Purple Heart he earned—and he never said a word about it for nearly 70 years. And the only reason he said anything was because that same gunshot wound from the European battlefield was about to necessitate the amputation of his leg nearly 70 years after the fact. What incredible humility.

He was also a man who - fondly remembering how the United States of America had made sure he had a warm Thanksgiving meal on a cold day on the front lines in 1944—always insisted on standing for the National Anthem, on his one remaining leg, as if he owed it to the country, rather than the other way around.

We could all afford to be more like Lauren Leaders and Glenn Gregg. I know I could. To set an example for our children and grandchildren on how to live our lives in a Christ-like fashion. To serve others with pride, with dignity, with humility, and grace. To stand for principles larger than ourselves—like faith and American freedom.

So as I humbly enter this role as your lieutenant governor, know that I will strive to exhibit the values represented in those two special mementos—Lauren Leaders' Bible and Glenn Gregg's flag.

Thank you, God bless you, and God Bless this great state we call home.

"This is Me" was sung by Chris Weaver.

Prayer was delivered by Pastor Chuck DeVos.

Justice Susan Christensen administered the oath of office to Governor-elect Kim Reynolds, assisted by her husband, Kevin Reynolds.

President Schneider presented Governor Kim Reynolds who delivered the following inaugural address:

Senator Grassley, Senator Ernst, Congresswoman Finkenauer, Congresswoman Axne, Governor Vilsack, Lt. Governor Gregg, Madam Speaker, Mr. Leader, Mr. Chief Justice, justices and judges, legislators, other elected officials, distinguished guests, family and friends:

I am incredibly honored and humbled to stand before you today to take the oath as the first woman elected governor of our great state.

I am grateful for the faith you have placed in me, I am humbled by the generosity you've shown me, and I am eager to serve the people of Iowa.

This is a journey that began over 24 years ago at our kitchen table, when Kevin challenged me to put my ideas into action by running for county treasurer.

Kevin, I'm not sure either of us knew where that challenge would lead, but thank you for that little push and for being a willing partner in this life of public service.

The people of Iowa are truly lucky to have you as their First Gentlemen. Whether it's your work with disabled veterans or your passion for conservation, you have embraced this new role with enthusiasm and purpose. Thank you for being my source of strength, a loving husband, and an amazing father and grandfather.

To our three daughters, Nicole, Jen, and Jess: Thank you for always being there, for believing in me, and reminding me to keep things in perspective.

Ryan, Jason, and Scott, our sons-in-law: Thanks for always saying "Sure, we can do that!" when I know you weren't probably thinking "Really, are you kidding me?"

To our 10 active grandchildren: Did you know that being your grandma is the best job ever? I know I've missed a few ballgames and concerts, and that I haven't seen you as much as I'd like. But please know, there is nothing more important to me than all of you.

Mom and Dad—thank you for raising me in Iowa. My life has been deeply blessed because of it. And thank you for leading by example, showing us through your 60 years of marriage what true devotion and commitment are all about.

To all of my family, I want you to know this: When I've succeeded, it's because I've stood on your shoulders. And when I've failed, I moved forward because you carried me. I wouldn't be here today without your love and support.

Lt. Governor Gregg—thank you for your inspiring remarks this morning. Your passion and love of Iowa are contagious. I am grateful for your counsel and friendship.

I am so blessed to stand before you today and address a state I truly love.

In 1948, well after his time as president had passed, Herbert Hoover delivered an address in his hometown of West Branch titled "I am proud to be an Iowan." He opened by talking about his parents and grandparents, and of them he said this: "They worshiped God; they did their duty to their neighbors. They toiled to bring their children greater comfort, better education and to open to them a wider opportunity than had been theirs."

I love that quote. President Hoover was describing his family, but he could have said the same thing of so many Iowans—then and still today.

We worship God; we take care of our neighbors; and we strive to teach our children the same values and give them a life that is better than our own.

It's that simple. And it's why Iowa is the best state in the nation.

We may not have snow-capped mountains or white sandy beaches. And we don't have year-long 70-degree weather. (We're lucky if we get two weeks of it.)

What we have—what makes Iowa so special—is the character of our people, no matter where they came from.

As your Lt. Governor and now Governor, I've been fortunate to travel to all 99 counties every year for eight years. Very few Iowans get that opportunity—though I spot a few others in the crowd who do.

This travel gives me a unique vantage point. I get to see Iowa as a whole, and when I do—when I take a step back, squint my eyes and focus—here's what I see: one, big small town.

In a small town, residents don't wait for the government or far-flung strangers to take care of their ailing neighbors; they do it themselves.

When a farmer gets sick, the community drops everything to harvest his crops. When a neighbor loses her job and is struggling to get back on her feet, the town sees her through it; food and clothing are provided, and Christmas presents find their way under the tree.

In a small town, everyone works together and does life together, and because of that everyone takes care of each other.

That's Iowa. Whether it's in Des Moines or Sioux Center, Decorah or Davenport, Iowans exhibit those small-town values. They work hard, but not so much for themselves. They're ambitious, but not at the expense of others.

Last year, I witnessed this again and again. Whether it was cleaning up after a flood or a tornado, looking for a missing loved one, or reaching out to someone who had lost their way, Iowans were flashing their small-town character. They took care of each other.

Over the next four years and beyond, everything we do should be done with an eye towards preserving and strengthening this way of life.

It will not be easy. And it will truly take all of us. Government didn't make Iowa the best state in the nation, and government can't keep it that way.

But too often, across the country, people are looking not to themselves but to government to solve their neighbors' problems. They are focused less on what they can do and more on what they believe someone else is doing wrong.

Social media has become the accelerant for this way of thinking.

The internet has given a voice to millions of Americans. You no longer need a printing press to publish your ideas. A phone in your pocket will do.

That's powerful. But it is also making many of us powerless.

Too many have become dependent on their phones, captives of social media and to the bitterness and pain that exist there.

I see it less here than in other parts of the country. But I see it. And if we aren't vigilant, we will lose our character. We will lose our small-town way of life.

My ask of all Iowans, as we go into the next four years, is that we devote less time to online political arguments and more time to each other. That we don't let a screen steal time from our family and friends, from our communities and schools.

Because here's the thing: If we look up and to each other, we will see that great things are happening in this state. And if we put our energy into action instead of outrage, we will find that there are even greater days to come.

Today, we have the lowest unemployment rate in the nation, more Iowans are working than ever before, and their wages are going up. Iowans have more access to affordable healthcare, and we are beginning to focus as much on our mental health as we do our physical well-being.

Our fields are more productive than they've ever been, and we are harvesting energy from the wind and sun.

Our teachers are connecting the classroom to the real world, and our schools are more innovative than ever. That's preparing our students for success in a changing and dynamic environment.

And we are just beginning. We're doubling our efforts to show young people the opportunities that exist, and we're giving them the skills they need to seize that opportunity when it comes.

Of course, we must do more than just prepare our kids for a career. We have to teach them to be moral, productive members of society. We must instill in them the Iowa values that our parents instilled in us.

That kind of education doesn't just happen in a classroom. It starts at home and must be supported by the community. Our children learn from observing—from watching you and me. So we all play a part. We must all take responsibility for nurturing the character of the next generation.

We must also understand that our education is never over. We are never done learning and we should never stop challenging ourselves.

The economy is changing and the jobs are changing with it. Across Iowa, in cities and small towns, businesses are expanding and help-wanted signs are everywhere. These new jobs pay well, and the careers are rewarding, but they require more skills and training than we've seen in the past.

That presents a challenge, but also an opportunity. Many Iowans are rising to the occasion. They're signing up for apprenticeship programs or going back to school. Employers are stepping up too, creating new scholarships and training programs.

But there are still Iowans who are struggling. They work hard but feel like they can't get ahead. They want something more, but believe that time has passed them by.

For those Iowans, I'm here to tell you it's not too late. I'm living proof of that. Our lives are not set at age 22, 30 or even 50. In Iowa, it's not just our values that are timeless, so are our opportunities.

If we're to be successful in all of this—in educating Iowans young and old, in paving the way for opportunity, and most of all, in keeping our small-town way of life—we must be sure that every part of the state is succeeding.

Iowa is unique in that our people aren't concentrated in one city or even one part of the state. In every part of Iowa—in every corner and in every county—there are vibrant communities with a school, multiple houses of worship, and a Main Street that displays the community's pride.

Iowans live out small-town values no matter where they are—whether it's Cedar Rapids or Red Oak. But those values were born in these rural communities. That's where Iowa's character comes from.

So if we are going to protect that way of life, we must show our sons and daughters that there is a future here for them, and that this future is bright.

As I travel the state, I'm seeing a resurgence in many places. Our young people are coming home, new shops are opening, and the schools are brimming with as much pride as they ever have.

In the months and years ahead, it's my hope that we can ignite that kind of passion in even more communities. That we can connect every part of Iowa to high-speed internet; that we can connect every Iowan to a rewarding career and affordable healthcare; and that we can connect Iowa, our products, and services to every part of the world.

If we do that—if we bring prosperity to every corner—then Iowa will remain the best state in the nation.

That's not to say there won't be challenges ahead. The world is constantly changing—sometimes for the better and sometimes not. We must be prepared to embrace the change that enriches our lives and lets us focus on what's important.

But when it comes to the qualities that define our great State, let's not let the world change us. Let's change the world.

Let's worship God and take care of our neighbors. Let's strive to teach our children the same values, and let's give them a life that is better than our own.

If we do that, we will have lived a life we can be proud of. A life that is worthy of the freedoms we've been given. A life that is truly Iowan.

Thank you, God bless you, and God bless the great State of Iowa.

The benediction was offered by Pastor Mike Housholder.

Governor Kim Reynolds and her family were escorted from the Joint Convention by Major General Orr.

Lieutenant Governor Adam Gregg and his family were escorted from the Joint Convention by Brigadier General Ford.

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

ADJOURNMENT

On motion of Senator Whitver, the Senate was adjourned at 10:34 a.m. until 10:00 a.m., Tuesday, January 22, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Cameron Haugen, Asbury—For achieving the rank of Eagle Scout, Troop #91. Senator Koelker.

JoAnne Sackett, Okoboji—For receiving the 2019 I.O.W.A. STEM Teacher Award for Northwest Iowa. Senator Whiting.

INTRODUCTION OF BILLS

Senate File 71, by Petersen, Dotzler, R. Taylor, Celsi, Quirmbach, Bolkcom, and T. Taylor, a bill for an act relating to the administration of medical cannabidiol by primary caregivers to students at public and nonpublic schools.

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

Senate File 72, by Petersen, Quirmbach, Bolkcom, Ragan, Mathis, Kinney, Dotzler, R. Taylor, Celsi, Lykam, and T. Taylor, 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 **State Government**.

Senate File 73, by Mathis, a bill for an act authorizing the use of revenues from the physical plant and equipment levy for school safety and security equipment and including effective date and applicability provisions.

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

Senate File 74, by Dawson, 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 under Rule 28 and referred to committee on **Education**.

Senate File 75, by Whiting, a bill for an act relating to grants for new remote workers who relocate to this state and who are employed by an out-of-state employer and creating and making appropriations to the new remote worker grant fund.

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

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 22, 2019

The Senate met in regular session at 10:01 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 Piper LaGrange.

The Journal of Friday, January 18, 2019, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that **ARC 3747C** was referred to the committee on **Human Resources** pursuant to Iowa Code section 17A.8, subsection 9.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:05 a.m. until 9:00 a.m., Wednesday, January 23, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on January 22, 2019.

Pathways for Academic Career and Employment (PACE) Program Report, pursuant to Iowa Code section 260H. Report received on January 22, 2019.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on January 22, 2019.

Statewide Work-Based Intermediary Network Report, pursuant to Iowa Code section 256.40. Report received on January 22, 2019.

INTRODUCTION OF BILLS

Senate File 76, by Lofgren, a bill for an act relating to the use of an electronic communication device while driving, and providing penalties.

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

Senate File 77, by Zaun and Boulton, 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.

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

Senate File 78, by Zaun, a bill for an act relating to the definition of medical cannabidiol.

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

Senate File 79, by Zaun, a bill for an act relating to apprenticeship training delivered via interactive distance learning, and including applicability provisions.

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

Senate File 80, by Hogg, a bill for an act relating to voting procedures for participants in the Iowa address confidentiality program.

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

Senate File 81, by Whiting, a bill for an act establishing a new resident homestead rebate for certain individuals relocating to the state, establishing a new resident homestead rebate fund, and making appropriations.

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

Senate File 82, by Bisignano, a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

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

Senate File 83, by Kraayenbrink, a bill for an act relating to the gross weight of special trucks, and providing fees.

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

Senate File 84, by Segebart, a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

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

Senate File 85, by Zaun, a bill for an act establishing an interim study committee relating to child welfare.

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

STUDY BILLS RECEIVED

SSB 1035 Commerce

Modifying provisions relating to the regulation and sale of certain fireworks, making penalties applicable, and including effective date provisions.

SSB 1036 Commerce

Modifying provisions relating to the office of consumer advocate, including by establishing the consumer advocate governing board.

SSB 1037 Judiciary

Relating to the practice of massage therapy, and providing penalties.

SSB 1038 Judiciary

Relating to law enforcement profiling by standardizing collection and centralizing the compilation and reporting of officer stop and compliance data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

**Senate Joint Resolution 1
(Reassigned)**

EDUCATION: Lofgren, Chair; Quirmbach and Zaun

Senate Joint Resolution 3

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

Senate Joint Resolution 4

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

Senate Joint Resolution 5

STATE GOVERNMENT: Schultz, Chair; Celsi and Whiting

Senate Joint Resolution 6

STATE GOVERNMENT: Schultz, Chair; Danielson and Whiting

Senate File 8

STATE GOVERNMENT: Feenstra, Chair; Celsi and Zaun

Senate File 9

STATE GOVERNMENT: Feenstra, Chair; T. Taylor and Zaun

Senate File 35

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

Senate File 36

STATE GOVERNMENT: Zaun, Chair; Bisignano and R. Smith

Senate File 53

STATE GOVERNMENT: Chapman, Chair; T. Taylor and Whiting

Senate File 56

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Danielson

Senate File 57

AGRICULTURE: Zumbach, Chair; Kinney and Shipley

Senate File 63

VETERANS AFFAIRS: Dawson, Chair; Dotzler and Koelker

Senate File 64

VETERANS AFFAIRS: Lofgren, Chair; Danielson and Dawson

Senate File 67

STATE GOVERNMENT: Dawson, Chair; Celsi and Miller-Meeks

Senate File 68

JUDICIARY: Sweeney, Chair; Chapman and Hogg

Senate File 71

JUDICIARY: Garrett, Chair; Chapman and Petersen

Senate File 72

STATE GOVERNMENT: Whiting, Chair; Bisignano and R. Smith

SSB 1035

COMMERCE: Chapman, Chair; Mathis and Sinclair

SSB 1036

COMMERCE: Dawson, Chair; Bolkcom and Chapman

SSB 1037

JUDICIARY: Zaun, Chair; Petersen and Sweeney

SSB 1038

JUDICIARY: Zaun, Chair; Nunn and Petersen

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 23, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

The National Anthem was sung by Justin Grawe from West Delaware High School in Manchester, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Meis.

The Journal of Tuesday, January 22, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:08 a.m. until 9:00 a.m., Thursday, January 24, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Expenditures Report FY 19, September 30, 2018, pursuant to 2018 Iowa Acts, HF 2491, section 1. Report received on January 23, 2019.

Expenditures Report FY 19, December 31, 2018, pursuant to 2018 Iowa Acts, HF 2491, section 1. Report received on January 23, 2019.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, January 16, 2019, 1:00 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: None.

Committee Business: Senator Zumbach called the Agriculture Committee to order at 1:01 p.m. Roll call was taken silently by the secretary. Those not present were excused until they arrived. Motion by Senator Shipley to approve the minutes from the previous meeting. Approved. Senator Zumbach recognized Vice Chair Sweeney and Ranking Member Kinney for introductions. Introductions were made by committee members and visitors. A motion was made by Senator Kinney to add additional rules. Roll call vote: Nays: Brown, Costello, Edler, Kapucian, Rozenboom, Shipley, Sweeney, and Zumbach. Yeas: Kinney, Mathis, Ragan, R. Taylor, and Wahls. Motion defeated 8–5.

Adjourned: 1:30 p.m.

COMMERCE

Convened: Tuesday, January 15, 2019, 3:05 p.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkom, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair and R. Smith.

Members Absent: Breitbach and Feenstra (both excused).

Committee Business: Senator Quirmbach offered the following amendment “The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive the 24 hour posting before or after the subcommittee.” Senator Chapman was recognized for comments. Senator Quirmbach was recognized for closing comments. A record roll call was called and the following senators voted “nay”: Chapman, Koelker, Bisignano, Brown, Dawson, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. The following senators voted “yea”: Lykam, Bolkom, Mathis, Petersen, and Quirmbach. Senators Breitbach and Feenstra were excused and the amendment failed. Senator Mathis was recognized for comments and had questions for Senator Chapman. The rules for the committee passed via a voice vote.

Adjourned: 3:35 p.m.

ALSO:

Convened: Wednesday, January 23, 2019, 11:00 a.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkom, Brown, Feenstra, Johnson, Mathis, Nunn, Petersen, and Sinclair.

Members Absent: Breitbach, Dawson, Miller-Meeks, Quirmbach, and R. Smith (all excused).

Committee Business: Subcommittee assignments were distributed.

Adjourned: 11:05 a.m.

EDUCATION

Convened: Wednesday, January 16, 2019, 1:30 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: Danielson (excused).

Committee Business: Amendment LSB 9004XD.2 was brought before the committee. LSB 9004XD.2: Senator Quirmbach requested a roll call vote on LSB 9004XD.2. The amendment LSB 9004XD.2 failed with a result of the roll call vote being 4 yeas (Quirmbach, Celsi, J. Smith, and Wahls), 10 nays, and 1 excused. Amendment LSB 9004XB.3 was brought before the committee. LSB 9004XD.3: Senator Quirmbach requested a roll call vote on LSB 9004XD.3. The amendment LSB 9004XD.3 failed with a result of the roll-call vote being 4 yeas (Quirmbach, Celsi, J. Smith, and Wahls), 10 nays, and 1 excused. Amendment LSB 9004XD.4 was brought before the committee. “< __ . All germane amendments offered in committee shall be eligible for a vote.>” Senator Quirmbach requested a roll call vote on yeas. (Quirmbach, Celsi, J. Smith, and Wahls), 10 nays, and 1 excused. Senator Quirmbach requested a roll call vote on the rules. The rules were approved with a result of the roll call vote being 10 yeas, 4 nays (Quirmbach, Celsi, J. Smith, and Wahls), and 1 excused.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: Tuesday, January 15, 2019, 1:30 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Senator Bolkcom to present an amendment to the proposed committee rules. The amendment was stated, “The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive 24 hour posting before or after the subcommittee.” Senator Miller-Meeks called for a vote on the amendment to the proposed committee rules. Senator Bolkcom requested a record roll-call vote. The secretary took roll. The amendment failed yeas: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan), nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair recognized Senator Jochum

to offer an amendment to the proposed committee rules. The amendment was stated, "All subcommittee meetings shall be open to the public." Senator Jochum requested a record roll-call vote. The chair called for a vote on the amendment to the proposed committee rules. The secretary took roll. The amendment failed yeas: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan), nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair recognized Senator Quirmbach to offer an amendment to the proposed committee rules. The amendment was stated, "All germane amendments offered in committee shall be eligible for a vote." Senator Quirmbach requested that the wording of his amendment be recorded in the minutes. Senator Quirmbach requested a record roll call vote. The chair called for a vote on the amendment to the proposed committee rules. The secretary took roll. The amendment failed, yeas: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan), nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair called for a vote on the proposed committee rules. The secretary took roll. The committee rules passed the committee, yeas: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson), nays: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan.)

Adjourned: 2:35 p.m.

JUDICIARY

Convened: Tuesday, January 15, 2019, 3:40 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Discussion over committee rules Senator Kinney made a motion to amend committee Rule 39 and add a 24 hour subcommittee notice. Roll call vote was taken, 5 yeas: Kinney, Bisignano, Hogg, Petersen, and Taylor. 10 nays: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. The motion was defeated. Senator Kinney made a motion to amend committee Rule 39 and add that subcommittees are open to the general public. Roll call vote was taken, 5 yeas: Kinney, Bisignano, Hogg, Petersen, and Taylor. 10 nays: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. The motion was defeated. Senator Zaun made the motion to approve Rule 39. Voice vote was taken 4 nays: Bisignano, Hogg, Petersen, and Taylor. 11 yeas: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting, and Kinney. The motion was approved and Rule 39 was adopted.

Adjourned: 4:05 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 16, 2019, 1:35 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, R. Taylor.

Members Absent: None.

Committee Business: Discussion over committee rules. Chair clarifies publicly the 24 hour rule is waived unless the waiver is revoked for individual bills. Senator Carlin made a motion to accept the rules as presented. Senator Guth seconds the motion. A voice vote was taken, 12 yeas: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor. 0 nays. The motion was approved to accept the rules as presented.

Adjourned: 1:55 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, January 16, 2019, 2:30 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Proposed additions to Rule 39 are as follows: 14. The time and place of subcommittee meetings shall be posted 24 hours in advance of the meeting. The committee chair may waive the 24 hour posting before or after the subcommittee. 15. All subcommittee meetings shall be open to the public. 16. All cell phones are to be non-audible. 17. All germane amendments offered in committee shall be eligible for a vote. 2:55 Senator Quirmbach comments, Senator Garrett asks Senator Quirmbach to yield. A short discussion was held. 3:00 Senator Edler, Chair, asks colleagues to resist the proposal. Senator Quirmbach comments. Closing comments on the proposed rules were made by Senator J. Smith. He asks for adoption of proposed amendments. The proposal was defeated. 4 yeas, 7 nays as a vote of record. Record vote is as follows: Edler (Chair)—no, Greene (Vice Chair)—no, J. Smith (Ranking Member)—yea, Boulton—yea, Garrett—no, Guth—no, Hogg—yea, Kraayenbrink—no, Lofgren—no, Quirmbach—yea, Segebart—no. 3:05 After dispensing of the proposed amendments a record vote was held to approve the aforementioned Rule 39, voted passed 7 yeas, 4 nays. Record vote as follows: Edler (Chair)—yea, Greene (Vice Chair)—yea, J. Smith (Ranking Member)—no, Boulton—no, Garrett—yea, Guth—yea, Hogg—no, Kraayenbrink—no, Lofgren—yea, Quirmbach—no, and Segebart—yea.

Adjourned: 3:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 15, 2019, 2:40 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: Behn (excused).

Committee Business: Senator Rozenboom asked for unanimous consent to approve the committee rules as distributed. Senator Hogg objected. Discussion ensued. Senator Kapucian motioned for their approval. Rule 39 with no amendments for Natural Resources and Environment committee were approved, as printed, on a voice roll call of 7 yeas and 5 nays. Nays were Hogg, Boulton, Celsi, Lykam, and J. Smith.

Adjourned: 3:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, January 16, 2019, 2:35 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Danielson, Dawson, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: Senator R. Smith made remarks on Rule 39, with additions of line 14 and line 15. Line 14 states "The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive 24 hour posting before or after the subcommittee." Line 15 states: "All subcommittee meetings shall be open to the public." A voice vote was held and Rule 39 with additional lines 14 and 15 were approved unanimously.

Adjourned: 2:55 p.m.

TRANSPORTATION

Convened: Tuesday, January 15, 2019, 1:30 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Danielson, Ranking Member; Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: Breitbach (excused).

Committee Business: Senator Kapucian introduced the rules. Senator Zumbach moved to approve the rules. The rules were unanimously approved by a voice vote.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: Wednesday, January 16, 2019, 4:00 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Danielson, Dotzler, Edler, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Nunn (excused).

Committee Business: Senator Feenstra presented the standing committee rules (Rule 39 plus sub rules 14–17) for the 88th general assembly. Hearing no questions on the rules, a short form vote was taken, and Rule 39 plus sub rules 14–17, were unanimously adopted.

Adjourned: 4:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 17, 2019, 1:05 p.m.

Members Present: Shipley, Chair; Rozenboom, Vice Chair; Mathis, Ranking Member; Kinney, and Sweeney.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 7, by Chapman, 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 certain other statewide elected officers.

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

INTRODUCTION OF BILLS

Senate File 86, by Brown, a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses.

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

Senate File 87, by Bolkcom and Wahls, a bill for an act relating to the expungement of records of certain misdemeanor offenses, and including applicability provisions.

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

Senate File 88, by Edler, a bill for an act relating to motor vehicles, including special registration plates and the minimum standard of transparency for window tint, providing fees, providing penalties, and making penalties applicable.

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

Senate File 89, by Edler, a bill for an act creating a homeownership development tax credit available for charitable contributions to certain low-income housing developers in this state, and including applicability provisions.

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

Senate File 90, by Jochum, a bill for an act relating to the automatic mailing of ballots and including applicability provisions.

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

Senate File 91, by Shipley, a bill for an act allowing an atlatl as a legal method of take during deer bow hunting seasons.

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

Senate File 92, by Petersen, a bill for an act extending the limitations of certain criminal actions committed on or with minors, and providing penalties.

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

Senate File 93, by Lofgren, a bill for an act relating to abandoned structures and abatement of public nuisances.

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

Senate File 94, by Petersen, a bill for an act relating to promotion of the state family planning services program, and providing an appropriation.

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

Senate File 95, by J. Smith, Wahls, R. Taylor, Celsi, Bisignano, Quirnbach, Bolkcom, Petersen, Ragan, Mathis, Lykam, Danielson, Jochum, Dotzler, Boulton, and Hogg, a bill for an act removing prohibitions of counties and cities from establishing certain regulations relating to employment matters and the sale or marketing of consumer merchandise.

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

STUDY BILLS RECEIVED

SSB 1039 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 applicability provisions.

SSB 1040 Ways and Means

Relating to special certificates issued to aircraft manufacturers, transporters, and dealers, providing fees, making penalties applicable, and including effective date and applicability provisions.

SSB 1041 Ways and Means

Creating a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including retroactive and other applicability provisions.

SSB 1042 Education

Relating to recommendations regarding school building emergency operations plans.

SSB 1043 Education

To require school districts and accredited nonpublic schools to offer high school students an opportunity to take the United States citizenship and immigration services naturalization civics test, and including applicability provisions.

SSB 1044 Commerce

Relating to the division of domestic stock insurers.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2**

TRANSPORTATION: Whiting, Chair; Brown and J. Smith

Senate File 25

COMMERCE: Chapman, Chair; Koelker and Quirmbach

Senate File 26

TRANSPORTATION: Zumbach, Chair; Cournoyer and Danielson

Senate File 37

WAYS AND MEANS: R. Smith, Chair; Edler and Quirmbach

Senate File 42

TRANSPORTATION: Brown, Chair; Lykam and Whiting

Senate File 43

TRANSPORTATION: Breitbach, Chair; Kinney and Koelker

Senate File 51

TRANSPORTATION: Whiting, Chair; Brown and J. Smith

Senate File 58

TRANSPORTATION: Shipley, Chair; Kapucian and Kinney

Senate File 61

TRANSPORTATION: Shipley, Chair; Cournoyer and Lykam

Senate File 62

TRANSPORTATION: Koelker, Chair; Breitbach and Kinney

Senate File 69

WAYS AND MEANS: Feenstra, Chair; Edler and Quirmbach

Senate File 70

EDUCATION: Kraayenbrink, Chair; Cournoyer and Danielson

Senate File 73

EDUCATION: Sinclair, Chair; Celsi and Zaun

Senate File 74

EDUCATION: Sinclair, Chair; Cournoyer, Quirmbach, J. Smith, and Sweeney

Senate File 76

JUDICIARY: Whiting, Chair; Hogg and Shipley

Senate File 81

WAYS AND MEANS: Feenstra, Chair; Dotzler and Sweeney

Senate File 89

WAYS AND MEANS: R. Smith, Chair; Bolcom and Edler

SSB 1039

WAYS AND MEANS: Feenstra, Chair; Danielson and R. Smith

SSB 1040

WAYS AND MEANS: Feenstra, Chair; Dawson and Quirmbach

SSB 1041

WAYS AND MEANS: R. Smith, Chair; Edler and Wahls

SSB 1042

EDUCATION: Kraayenbrink, Chair; Cournoyer and Danielson

SSB 1043

EDUCATION: Behn, Chair; Lofgren and Quirmbach

SSB 1044

COMMERCE: Sinclair, Chair; Chapman and Petersen

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 24, 2019

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

Prayer was offered by the Honorable Annette Sweeney, member of the Senate from Hardin County, Alden, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ami Penquite.

The Journal of Wednesday, January 23, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:06 a.m. until 1:00 p.m., Monday, January 28, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF CORRECTIONS

Electronic Monitoring System Report, pursuant to 2017 Iowa Acts, SF 509, Chapter 167, section 9. Report received on January 24, 2019.

DEPARTMENT OF EDUCATION

Interstate Compact on Education of Military Children, pursuant to Iowa Code section 256H.1. Report received on January 24, 2019.

OFFICE OF THE GOVERNOR

Report on Reprieves, Commutations, Pardons, Remission of Fines, pursuant to Iowa Code section 7A.5. Report received on January 24, 2019.

DEPARTMENT OF PUBLIC HEALTH

Plumbing and Mechanical Systems Board Report, pursuant to Iowa Code section 105.9. Report received on January 24, 2019.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, January 24, 2019, 1:00 p.m.

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

Members Absent: Lykam and Schneider (both excused).

Committee Business: Senator Breitbach presented the Standing Committee Rules for the 88th general assembly and Senator Rozenboom made a motion to approve, seconded by Senator Guth. The chair asked for discussion. Two amendments to Rule 39 were made by Senator Bolkcom, seconded by Senator Celsi. The first, to add “the time and place of meetings be posted 24 hours in advance,” failed to pass on a roll call vote of 7 yea, 12 nay. (Voting yea: Bolkcom, Celsi, Dotzler, Mathis, Ragan, T. Taylor, and Wahls. Voting nay: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, and Shipley.) The second amendment that “all committee meetings be open to the public,” failed to pass on a roll call vote of 8 yea, 11 nay. (Voting yea: Bolkcom, Celsi, Dotzler, Koelker, Mathis, Ragan, T. Taylor, and Wahls. Voting nay: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Lofgren, Miller-Meeks, Rozenboom, and Shipley.) The Standing Committee Rules were approved, as moved, on a roll call vote of 11 yea, 8 nay. (Voting yea: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Lofgren, Miller-Meeks, Rozenboom, and Shipley. Voting nay: Bolkcom, Celsi, Dotzler, Koelker, Mathis, Ragan, T. Taylor, and Wahls.)

Adjourned: 1:25 p.m.

JUDICIARY

Convened: Wednesday, January 23, 2019, 3:00 p.m.

Members Present: Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Zaun, Chair (excused).

Committee Business: SSB's 7, 1002, 1003, 1011, and 1017.

Adjourned: 3:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 24, 2019, 10:05 a.m.

Members Present: Shipley, Chair; Rozenboom, Vice Chair; Mathis, Ranking Member; Kinney, and Sweeney.

Members Absent: None.

Committee Business: Deb Kozel presented the Governor's Budget Recommendations.

Adjourned: 10:25 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 8, by Whiting, 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 referred to committee on **Judiciary**.

Senate Joint Resolution 9, by Chapman, Feenstra, Sinclair, Segebart, Costello, Behn, Breitbach, Greene, Johnson, Brown, Guth, Lofgren, Kapucian, R. Smith, Edler, Kraayenbrink, Cournoyer, Carlin, Sweeney, Shipley, Koelker, Whiting, Nunn, Miller-Meeks, Garrett, Schultz, Rozenboom, Dawson, and Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa that the Constitution of the State of Iowa does not secure or protect a right to or require the funding of abortion.

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

INTRODUCTION OF BILLS

Senate File 96, by Petersen, a bill for an act relating to harassment policies for bidders on state contracts.

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

Senate File 97, by Mathis, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

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

Senate File 98, 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 **Commerce**.

Senate File 99, by Carlin, a bill for an act relating to work search requirements for unemployment insurance benefits, making penalties applicable, and including applicability provisions.

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

Senate File 100, 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 101, by Hogg, a bill for an act establishing a fuel-efficient motor vehicle use tax refund, and making an appropriation.

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

Senate File 102, by Greene, a bill for an act relating to the liability of a sponsor of an event to collect sales tax, and providing penalties.

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

Senate File 103, by Greene, a bill for an act relating to the transfer of investment tax credits issued to housing businesses under the enterprise zone program, and including effective date and retroactive applicability provisions.

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

Senate File 104, by Greene, a bill for an act relating to the compassionate use of medical cannabis Act, reclassifying marijuana, including tetrahydrocannabinols, from a schedule I controlled substance to a schedule II controlled substance, providing for civil and criminal penalties and fees, and including effective date provisions.

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

Senate File 105, by Bolkcom, 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 106, by Bolkcom, Celsi, Boulton, Wahls, J. Smith, Mathis, Ragan, Petersen, Jochum, and Dotzler, a bill for an act relating to delayed deposit services by limiting the annual percentage rate for fees and requiring a delayed deposit repayment option in certain circumstances and making penalties applicable.

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

Senate File 107, by Bolkcom, Celsi, R. Taylor, Boulton, Wahls, Lykam, J. Smith, Ragan, Petersen, Jochum, and Dotzler, a bill for an act relating to wage payment collection issues arising between employers and individuals who provide services to employers, providing penalties and remedies, and including effective date provisions.

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

Senate File 108, by Bolkcom, a bill for an act relating to combined charitable campaign programs administered by certain public employers.

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

Senate File 109, by Bolkcom, a bill for an act relating to the elimination of the exemption of gaming floors from the prohibitions of the smokefree air Act.

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

Senate File 110, by Bolkcom, a bill for an act relating to smoking relative to gaming floors.

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

Senate File 111, by Bolkom, a bill for an act relating to the provision of home visitation services for newborns under Medicaid managed care.

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

STUDY BILL RECEIVED

SSB 1045 Transportation

Permitting the transportation of certain types of loads by motor vehicles exceeding certain weight limitations.

SUBCOMMITTEE ASSIGNMENTS

Senate File 55

LOCAL GOVERNMENT: Edler, Chair; Garrett and J. Smith

Senate File 77

JUDICIARY: Zaun, Chair; Bisignano and Nunn

Senate File 78

JUDICIARY: Zaun, Chair; Bisignano and Nunn

Senate File 83

TRANSPORTATION: Zumbach, Chair; Kinney and Shipley

Senate File 86

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Sweeney

Senate File 87

JUDICIARY: Dawson, Chair; R. Taylor and Zaun

Senate File 88

TRANSPORTATION: Brown, Chair; Lykam and Shipley

Senate File 91

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Boulton and Rozenboom

Senate File 92

JUDICIARY: Chapman, Chair; Petersen and Sweeney

SSB 1045

TRANSPORTATION: Breitbach, Chair; Kinney and Koelker

PRESENTATION OF VISITORS

Senator J. Smith welcomed the following visitors who were present in the Senate gallery:

8 community college students from Western Iowa Tech Community College in Sioux City, Iowa, accompanied by Steve Warnstadt, Janet Gill, and Mike Brown, who were present in the northeast balcony.

Senator Ragan welcomed the following visitors who were present in the Senate gallery:

7 community college students from North Iowa Area Community College in Mason City, Iowa, accompanied by Gary Herrig, who were present in the northeast balcony.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 28, 2019

The Senate met in regular session at 1:09 p.m., President Schneider presiding.

Prayer was offered by Bishop Laurie Haller of the Iowa Area of The United Methodist Church. She was the guest of President Schneider.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Thursday, January 24, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:26 p.m. until 9:00 a.m., Tuesday, January 29, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF CORRECTIONS

Reversion Report–Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on January 24, 2019.

DEPARTMENT OF INSPECTIONS AND APPEALS

Citizen Foster Care Evaluation Report, pursuant to Iowa Code section 237.18. Report received on January 24, 2019.

Court Appointed Special Advocate Program Report, pursuant to Iowa Code section 237.18. Report received on January 24, 2019.

Iowa Child Advocacy Board Annual Report, pursuant to Iowa Code section 237.18. Report received on January 24, 2019.

DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on January 28, 2019.

Obstetrical Care in Iowa Report, pursuant to Iowa Code section 135.11. Report received on January 28, 2019.

DEPARTMENT OF TRANSPORTATION

Replacement and Repair of Structurally Deficient Secondary Bridges, pursuant to 2018 Iowa Acts, HF 2256. Report received on January 24, 2019.

IOWA VETERANS HOME

Annual Report, pursuant to Iowa Code section 35D.17. Report received on January 28, 2019.

DEPARTMENT OF WORKFORCE DEVELOPMENT

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 28, 2019.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 28, 2019.

Nursing Workforce Data Clearinghouse Report, pursuant to Iowa Code section 84A.11. Report received on January 28, 2019.

CERTIFICATES OF RECOGNITION

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

Nick Avgerinos, Dubuque—For his induction into the Friends of Labor Hall of Fame, Capron & Avgerinos. Senator Jochum.

Michael Duffy—For his induction into the Iowa Business Hall of Fame as CEO and Chairman of Per Mar Security Services in Davenport. Senator R. Smith.

Gage Kent—For his induction into the Iowa Business Hall of Fame as CEO and Chairman of Kent Corporation in Muscatine. Senator R. Smith.

Mary Lursen, Dubuque—For her induction into the Dubuque Area Labor Hall of Fame, Iowa State Education Association. Senator Jochum.

Pat Lynch, Dubuque—For his induction into the Dubuque Area Labor Hall of Fame, Teamsters Local #120. Senator Jochum.

John Rosenthal, Dubuque—For his induction into the Dubuque Area Labor Hall of Fame, Teamsters Local #120. Senator Jochum.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 24, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin and T. Taylor.

Members Absent: None.

Committee Business: LSA's presentation of FY 2020 Governor's Budget Recommendations.

Adjourned: 10:50 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 10, by Zaun, 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 referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 112, by committee on Judiciary, a bill for an act relating to the requirements for certifications of trust and including applicability provisions.

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

Senate File 113, by committee on Judiciary, a bill for an act allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

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

Senate File 114, by committee on Judiciary, a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.

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

Senate File 115, 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**.

Senate File 116, 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 a school or delivering an item to the school.

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

Senate File 117, by Petersen, Mathis, Ragan, J. Smith, Wahls, Boulton, Celsi, Jochum, Bisignano, Dotzler, and Quirmbach, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

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

Senate File 118, by R. Taylor, Petersen, Mathis, Ragan, J. Smith, Wahls, Boulton, Kinney, Celsi, Lykam, Jochum, Bisignano, Dotzler, and Quirmbach, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

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

Senate File 119, by Dawson, a bill for an act relating to documentation of loans and gifts to museums and including applicability provisions.

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

Senate File 120, by Schneider, a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university, and including civil penalties.

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

Senate File 121, by Petersen, Ragan, Mathis, J. Smith, Wahls, Boulton, R. Taylor, Celsi, Bolkcom, Jochum, Bisignano, Dotzler, and Quirmbach, a bill for an act relating to provision of the state family planning network under the Medicaid program, and including effective date and repeal provisions.

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

Senate File 122, by Petersen, Ragan, Mathis, J. Smith, Wahls, Boulton, R. Taylor, Celsi, Bolkcom, Jochum, Bisignano, Dotzler, and Quirmbach, a bill for an act relating to a prohibition against prior authorization for medication-assisted treatment under the Medicaid program.

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

Senate File 123, by Greene, a bill for an act relating to collaborative pharmacy practice allowing pharmacists to provide patient care and drug therapy management services.

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

Senate File 124, by Zaun, a bill for an act relating to the notification of a county commission of veteran affairs of the incarceration of a veteran at a jail or municipal holding facility.

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

Senate File 125, by Zaun, a bill for an act relating to the establishment of a needle exchange program by the Iowa department of public health.

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

Senate File 126, by Zaun, a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee, and providing for fees.

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

Senate File 127, by Petersen, Bolkcom, Quirnbach, Lykam, Bisignano, Celsi, R. Taylor, Wahls, J. Smith, Jochum, Ragan, Mathis, Boulton, and Dotzler, a bill for an act establishing an interim study committee to review and consider criminal justice fairness and bail reform.

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

Senate File 128, by Danielson, a bill for an act relating to the practice of barbering in movable locations.

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

Senate File 129, by Schneider, a bill for an act to modify the school start date and including effective date provisions.

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

Senate File 130, by Cournoyer, Lofgren, Shipley, Greene, Carlin, Quirnbach, Dotzler, Guth, Celsi, Wahls, Ragan, Nunn, Miller-Meeks, Chapman, J. Smith, Sweeney, and Bisignano, 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 131, by Cournoyer, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging after a certain number of consecutive days.

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

Senate File 132, 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**.

STUDY BILLS RECEIVED

SSB 1046 Judiciary

Proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

SSB 1047 Transportation

Relating to lighting devices and reflectors on snow plows.

SSB 1048 Transportation

Increasing the maximum allowable length for stinger-steered automobile transporters.

SSB 1049 Transportation

Relating to commercial driver's license requirements, and including applicability provisions.

SSB 1050 Transportation

Relating to required notices to the department of transportation regarding certain registered aircraft.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 8

JUDICIARY: Zaun, Chair; Bisignano and Whiting

Senate File 75

APPROPRIATIONS: Greene, Chair; Guth and Wahls

Senate File 93

LOCAL GOVERNMENT: Lofgren, Chair; Boulton and Edler

Senate File 97

EDUCATION: Sinclair, Chair; Celsi and Zaun

Senate File 104

JUDICIARY: Shipley, Chair; Sinclair and R. Taylor

Senate File 119

JUDICIARY: Dawson, Chair; Hogg and Shipley

SSB 1046

JUDICIARY: Dawson, Chair; Hogg and Shipley

SSB 1047

TRANSPORTATION: Shipley, Chair; Kapucian and Kinney

SSB 1048

TRANSPORTATION: Whiting, Chair; Cournoyer and Kinney

SSB 1049

TRANSPORTATION: Breitbach, Chair; Cournoyer and T. Taylor

SSB 1050

TRANSPORTATION: Koelker, Chair; Lykam and Shipley

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: SENATE FILE 112 (SSB 1003) a bill for an act relating to the requirements for certifications of trust and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 113 (SSB 1002) a bill for an act allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 114 (SSB 1011) a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 1: R. Taylor. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 115 (formerly SF 7) 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: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 116 (SSB 1017) a bill for an act relating to going armed with, carrying, or transporting a firearm when transporting a person to or from a school or delivering an item to the school.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, 2: Hogg and Petersen. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 29, 2019

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

Prayer was offered by Pastor A.J. Potter of the Pleasantville Baptist Church in Pleasantville, Iowa. He was the guest of Senator Cournoyer.

Madeline Judge sang “America the Beautiful”. She is the daughter of Representative Kenan Judge and the guest of President Schneider.

PLEDGE OF ALLEGIANCE

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

The Journal of Monday, January 28, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:27 a.m. until 9:00 a.m., Wednesday, January 30, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual Report, pursuant to Iowa Code 312.3B. Report received on January 28, 2019.

DEPARTMENT OF MANAGEMENT

Early Childhood Iowa State Board, pursuant to Iowa Code section 256I.4. Report received on January 29, 2019.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, January 29, 2019, 1:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Schultz (excused).

Committee Business: SSBs 1005, 1014, and 1015.

Adjourned: 1:40 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 29, 2019, 2:00 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Distribution of subcommittee assignments.

Adjourned: 2:05 p.m.

STATE GOVERNMENT

Convened: Tuesday, January 29, 2019, 3:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Danielson, Feenstra, Jochum, Miller-Meeks, T. Taylor, Whiting, and Zaun.

Members Absent: Dawson and Schultz (both excused).

Committee Business: Distribution of subcommittee assignments.

Adjourned: 3:10 p.m.

TRANSPORTATION

Convened: Monday, January 28, 2019, 3:30 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: Danielson, Ranking Member (excused).

Committee Business: Committee assignments.

Adjourned: 3:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, January 29, 2019, 10:00 a.m.

Members Present: Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, January 29, 2019, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Board of Regents Universities.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, January 29, 2019, 10:00 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkom, and Miller-Meeks.

Members Absent: None.

Committee Business: Presentation by LSA representatives on the Governor's Budget Recommendations.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, January 29, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, January 29, 2019, 10:05 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; and Boulton.

Members Absent: Dawson (excused).

Committee Business: Presentation by DOT.

Adjourned: 11:05 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 11, by Whiting, a joint resolution requesting the call of a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States relating to term limits for federal legislators.

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

INTRODUCTION OF BILLS

Senate File 133, by Whiting, a bill for an act creating a new resident tax credit available against the individual income tax, and including applicability provisions.

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

Senate File 134, by Kinney, a bill for an act providing for persons serving as public members on the Iowa board of veterinary medicine.

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

Senate File 135, by Bolkcom, a bill for an act providing for a study relating to the discontinuation of coal for electricity production in the state.

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

Senate File 136, by Bolkcom, a bill for an act providing for fossil fuel cost disclosure in public utility customer billings.

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

Senate File 137, by Lofgren, a bill for an act relating to electronic transactions by permitting the use of distributed ledger technology and smart contracts.

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

Senate File 138, by committee on Education, a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

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

Senate File 139, by committee on Education, a bill for an act relating to a financial literacy requirement under the state's educational standards.

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

Senate File 140, by committee on Education, a bill for an act relating to special minor's driver's licenses for students attending accredited nonpublic schools.

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

Senate File 141, by Whiting, a bill for an act providing for decennial approval of administrative rules by the general assembly and related procedures and including effective date provisions.

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

Senate File 142, by Bisignano, a bill for an act prohibiting employers and employment agencies from seeking the criminal record or criminal history from applicants for employment under certain circumstances, establishing a criminal history employment application task force, providing penalties, and including effective date provisions.

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

Senate File 143, by Jochum, J. Smith, Wahls, Boulton, Kinney, R. Taylor, Quirmbach, Bolkcom, Petersen, Ragan, Mathis, Celsi, and T. Taylor, a bill for an act relating to long-term services and supports provided under the Medicaid program, and including effective date provisions.

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

Senate File 144, by Ragan, Mathis, Jochum, J. Smith, Wahls, Boulton, Kinney, Lykam, Quirmbach, Bolkcom, Petersen, Celsi, and T. Taylor, a bill for an act relating to the development and issuance of a request for proposals to provide housing for certain geriatric persons.

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

Senate File 145, by Danielson, a bill for an act providing for appropriations to the statewide fire and police retirement system and including effective date provisions.

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

Senate File 146, by Petersen, Ragan, Mathis, Jochum, J. Smith, Wahls, Boulton, Bisignano, Lykam, Quirmbach, and Bolkcom, a bill for an act requesting an interim committee relating to evaluating the current system of court debt collection.

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

STUDY BILLS RECEIVED

SSB 1051 Education

Relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

SSB 1052 Education

Relating to requirements for eligibility under the all Iowa opportunity scholarship program.

SSB 1053 Judiciary

Relating to late fees and prohibited provisions in rental agreements.

SSB 1054 Judiciary

Modifying the periods of time to bring criminal actions for sexual offenses against a minor, providing penalties, and including effective date provisions.

SSB 1055 Judiciary

Relating to the Iowa sobriety and drug monitoring program.

SSB 1056 Judiciary

Relating to the transfer of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center.

SSB 1057 Judiciary

Relating to the criminal elements for the commission of sexual misconduct with offenders, and providing penalties.

SSB 1058 Judiciary

Relating to criminal trespass while hunting, fishing, or trapping, and providing penalties.

SSB 1059 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 1060 State Government

Relating to digitization of all records maintained at department of human services local office locations.

SSB 1061 Judiciary

Creating the criminal offense of theft against a vulnerable elder and providing penalties.

SSB 1062 Judiciary

Including personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable.

SSB 1063 Judiciary

Relating to clerks of court, including the number of counties in which a clerk may serve and residency requirements.

SSB 1064 Judiciary

Relating to judicial residency requirements.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 7**

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Cournoyer

Senate Joint Resolution 9

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

Senate Joint Resolution 10

JUDICIARY: Zaun, Chair; Bisignano and Dawson

Senate File 79

STATE GOVERNMENT: Zaun, Chair; Johnson and T. Taylor

Senate File 80

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Cournoyer

Senate File 84

HUMAN RESOURCES: Segebart, Chair; Johnson and Ragan

Senate File 85

HUMAN RESOURCES: Edler, Chair; Carlin and Mathis

Senate File 90

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

Senate File 94

HUMAN RESOURCES: Costello, Chair; Garrett and Mathis

Senate File 95

STATE GOVERNMENT: Feenstra, Chair; Chapman and Danielson

Senate File 98

COMMERCE: Nunn, Chair; Johnson and Mathis

Senate File 100

WAYS AND MEANS: Feenstra, Chair; Carlin and Jochum

Senate File 101

WAYS AND MEANS: R. Smith, Chair; Behn and Quirmbach

Senate File 102

WAYS AND MEANS: Dawson, Chair; Dotzler and R. Smith

Senate File 103

WAYS AND MEANS: Feenstra, Chair; Danielson and Dawson

Senate File 105

COMMERCE: Breitbach, Chair; Bolkcom and Chapman

Senate File 106

COMMERCE: Brown, Chair; Petersen and Sinclair

Senate File 109

STATE GOVERNMENT: Dawson, Chair; Celsi and Johnson

Senate File 110

STATE GOVERNMENT: Dawson, Chair; Johnson and T. Taylor

Senate File 111

HUMAN RESOURCES: Edler, Chair; Bolkcom and Carlin

Senate File 120

EDUCATION: Sinclair, Chair; Rozenboom and Wahls

Senate File 121

HUMAN RESOURCES: Costello, Chair; Bolkcom and Segebart

Senate File 123

HUMAN RESOURCES: Miller-Meeks, Chair; Greene and Mathis

Senate File 125

JUDICIARY: Zaun, Chair; Dawson and Kinney

Senate File 126

JUDICIARY: Zaun, Chair; Hogg and Sweeney

Senate File 127

JUDICIARY: Chapman, Chair; Bisignano and Dawson

Senate File 131

WAYS AND MEANS: Dawson, Chair; Carlin and Danielson

Senate File 132

WAYS AND MEANS: Dawson, Chair; Danielson and R. Smith

Senate File 133

WAYS AND MEANS: Behn, Chair; Danielson and Dawson

Senate File 143

HUMAN RESOURCES: Costello, Chair; Greene and Jochum

Senate File 146

JUDICIARY: Schultz, Chair; Bisignano and Sweeney

SSB 1051

EDUCATION: Edler, Chair; Quirmbach and Sweeney

SSB 1052

EDUCATION: Edler, Chair; Quirmbach and Sweeney

SSB 1053

JUDICIARY: Sweeney, Chair; Bisignano and Nunn

SSB 1054

JUDICIARY: Sinclair, Chair; Petersen and Schultz

SSB 1055

JUDICIARY: Dawson, Chair; Bisignano and Whiting

SSB 1056

JUDICIARY: Nunn, Chair; Garrett and R. Taylor

SSB 1057

JUDICIARY: Schultz, Chair; Kinney and Sweeney

SSB 1058

JUDICIARY: Schultz, Chair; Kinney and Nunn

SSB 1059

WAYS AND MEANS: Dawson, Chair; R. Smith and Wahls

SSB 1060

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and R. Smith

SSB 1061

JUDICIARY: Nunn, Chair; Kinney and Whiting

SSB 1062

JUDICIARY: Chapman, Chair; Kinney and Nunn

SSB 1063

JUDICIARY: Garrett, Chair; Bisignano and Whiting

SSB 1064

JUDICIARY: Dawson, Chair; Garrett and Hogg

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE FILE 138 (SSB 1032), a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 139 (SSB 1029), a bill for an act relating to a financial literacy requirement under the state's educational standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 140 (SSB 1033), a bill for an act relating to special minor's driver's licenses for students attending accredited nonpublic schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Sinclair, Cournoyer, Behn, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 4: Quirmbach, Celsi, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 30, 2019

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

The Journal of Tuesday, January 29, 2019, was approved.

BILLS REREFERRED TO COMMITTEE

President Schneider announced that Senate File 76 was rereferred from the committee on Judiciary to the committee on Transportation under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:16 a.m. until 9:00 a.m., Thursday, January 31, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 30, 2019.

DEPARTMENT OF HUMAN SERVICES

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

BOARD OF REGENTS

Affirmative Action, Diversity, and Multicultural Accomplishment, pursuant to Iowa Code section 19B.5. Report received on January 30, 2019.

Minority and Women Educators Enhancement Program Report, pursuant to Iowa Code sections 262.93 and 262.82. Report received on January 30, 2019.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 2, by Whiting, a concurrent resolution recognizing the work of the Mother's Milk Bank of Iowa.

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

Senate Resolution 1, by Cournoyer and Danielson, a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries.

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

INTRODUCTION OF BILLS

Senate File 147, by Ragan, Mathis, Jochum, J. Smith, Wahls, Boulton, Kinney, R. Taylor, Bisignano, Lykam, Quirmbach, Bolkcom, Petersen, Celsi, and T. Taylor, a bill for an act relating to payment for certain therapy services under the Medicaid program.

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

Senate File 148, by Ragan, Mathis, Jochum, J. Smith, Wahls, Boulton, Kinney, R. Taylor, Quirmbach, Bolkcom, Petersen, Celsi, and T. Taylor, a bill for an act relating to a uniform prior authorization process under the Medicaid program.

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

Senate File 149, by R. Taylor, a bill for an act authorizing a city or county to provide a property tax exemption for value added by improvements to residential property that is a public nuisance.

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

Senate File 150, by R. Taylor, a bill for an act relating to the distribution of voter registration information by license agents and the department of natural resources.

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

Senate File 151, by Sinclair, a bill for an act relating to home improvement fraud and providing penalties for contractors who commit home improvement fraud.

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

Senate File 152, by committee on Judiciary, a bill for an act relating to the definition of vulnerable elder.

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

Senate File 153, by committee on Judiciary, a bill for an act relating to the exploitation of a dependent adult by a caretaker.

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

Senate File 154, by Zaun, a bill for an act relating to the filing requirements for the business property tax credit and including effective date provisions.

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

Senate File 155, by Zumbach, a bill for an act relating to the practice of barbering in movable locations.

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

Senate File 156, by Mathis and Ragan, a bill for an act relating to Medicaid program improvements, and including effective date provisions.

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

Senate File 157, by Danielson, a bill for an act relating to reimbursement parity for certain health professionals.

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

STUDY BILLS RECEIVED

SSB 1065 Veterans Affairs

Relating to military and veterans benefits.

SSB 1066 Judiciary

Relating to the provision of debt management services in connection with educational loans, and making penalties applicable.

SSB 1067 Judiciary

Relating to reimbursement of witness mileage expenses.

SSB 1068 Judiciary

Relating to state employee defense and indemnification from certain claims and actions.

SSB 1069 Judiciary

Relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa.

SSB 1070 Judiciary

Relating to the civil commitment of sexually violent predators.

SSB 1071 Judiciary

Modifying certain provisions relating to personal information security breach protection.

SSB 1072 Judiciary

Increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions.

SSB 1073 Judiciary

Relating to older individuals and dependent adults and creating certain criminal offenses and civil actions, and providing penalties.

SSB 1074 Judiciary

Relating to the payment of required medical aid provided to prisoners of county jails.

SSB 1075 Judiciary

Prohibiting the treatment 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.

SSB 1076 State Government

Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

SSB 1077 State Government

Relating to the administration of city and school elections.

SSB 1078 State Government

Relating to the administration of elections, providing penalties, and including effective date provisions.

SSB 1079 State Government

Relating to matters under the purview of the Iowa lottery authority, including authorization to conduct sports betting as a lottery game and providing criminal penalties.

SSB 1080 State Government

Relating to the conduct of sports betting by gambling licensees, making penalties applicable, and including implementation and effective date provisions.

SSB 1081 State Government

Relating to wagering, by providing for fantasy sports contests and sports wagering, providing for taxes and fees, making penalties applicable, and including effective date provisions.

SSB 1082 State Government

Proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

SUBCOMMITTEE ASSIGNMENTS**Senate File 60**

(Reassigned)

HUMAN RESOURCES: Segebart, Chair; Johnson and Ragan

Senate File 99

LABOR AND BUSINESS RELATIONS: Carlin, Chair; Brown and R. Taylor

Senate File 107

LABOR AND BUSINESS RELATIONS: Brown, Chair; Carlin and Dotzler

Senate File 108

LABOR AND BUSINESS RELATIONS: Whiting, Chair; Carlin and R. Taylor

Senate File 117

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dotzler and Guth

Senate File 118

LABOR AND BUSINESS RELATIONS: Nunn, Chair; Guth and T. Taylor

Senate File 124

VETERANS AFFAIRS: Edler, Chair; Dawson and R. Taylor

SSB 1065

VETERANS AFFAIRS: Carlin, Chair; Danielson and Edler

SSB 1066

JUDICIARY: Nunn, Chair; Hogg and Whiting

SSB 1067

JUDICIARY: Chapman, Chair; R. Taylor and Whiting

SSB 1068

JUDICIARY: Shipley, Chair; Bisignano and Sweeney

SSB 1069

JUDICIARY: Garrett, Chair; Hogg and Sinclair

SSB 1070

JUDICIARY: Schultz, Chair; Kinney and Shipley

SSB 1071

JUDICIARY: Zaun, Chair; Hogg and Whiting

SSB 1072

JUDICIARY: Shipley, Chair; Schultz and R. Taylor

SSB 1073

JUDICIARY: Nunn, Chair; Kinney and Sweeney

SSB 1074

JUDICIARY: Schultz, Chair; Garrett and Kinney

SSB 1075

JUDICIARY: Zaun, Chair; Bisignano and Dawson

SSB 1076

STATE GOVERNMENT: Johnson, Chair; Bisignano and R. Smith

SSB 1077

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

SSB 1078

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

SSB 1079

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Dawson

SSB 1080

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Dawson

SSB 1081

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Dawson

SSB 1082

STATE GOVERNMENT: R. Smith, Chair; T. Taylor and Whiting

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: SENATE FILE 152 (SSB 1014), a bill for an act relating to the definition of vulnerable elder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Kinney, Chapman, Garrett, Nunn, Shipley, Sinclair, Sweeney, and Whiting. Nays, 4: Bisignano, Hogg, Petersen, and R. Taylor. Absent, 1: Schultz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 153 (SSB 1015), a bill for an act relating to the exploitation of a dependent adult by a caretaker.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Schultz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 31, 2019

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

Prayer was offered by the Honorable Brad Zaun, member of the Senate from Polk County, Urbandale, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sam Sampson.

The Journal of Wednesday, January 30, 2019, was approved.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:09 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:13 a.m., President Schneider presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 1, by Cournoyer and Danielson, a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries.

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 1, a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Whitver, Schneider, Petersen, Bolkcom, Chapman, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 3: Behn, Feenstra, and Jochum.

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 1.

Senate Resolution 1

On motion of Senator Cournoyer, **Senate Resolution 1**, a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer moved the adoption of Senate Resolution 1, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:23 a.m. until 1:00 p.m., Monday, February 4, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

OFFICE OF THE ATTORNEY GENERAL

Medicaid Divestiture Program Report, pursuant to Iowa Code section 249F.8. Report received on January 31, 2019.

BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on January 31, 2019.

IOWA PUBLIC INFORMATION BOARD

Annual Report, pursuant to Iowa Code section 23.6. Report received on January 31, 2019.

DEPARTMENT OF TRANSPORTATION

Biodiesel and Biodiesel Blended Fuel Revolving Fund, pursuant to Iowa Code section 307.20. Report received on January 31, 2019.

Midwest Regional Rail Passenger Initiative, pursuant to Iowa Code section 327J.3. Report received on January 31, 2019.

Recycling Report, pursuant to Iowa Code section 307.21. Report received on January 31, 2019.

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36. Report received on January 31, 2019.

Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on January 31, 2019.

TREASURER OF STATE

Honey Creek Park Development Report, pursuant to Iowa Code section 463C.16. Report received on January 31, 2019.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 31, 2019.

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on January 31, 2019.

CERTIFICATES OF RECOGNITION

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

Art of Education University of Osage—For receiving University Accreditation. Senator Brown.

Ethan Hoefler, New Vienna—For reaching the rank of Eagle Scout, Troop #60. Senator Koelker.

Senior Master Sergeant Paul Koster—For his thirty-two years of military service to the 132nd Wing in the Iowa National Guard. Senator Nunn.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Thursday, January 31, 2019, 9:05 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Bolkcom, Chapman, Ragan, Sinclair, and R. Smith.

Members Absent: Behn, Feenstra, and Jochum (all excused).

Committee Business: Senate Resolution 1.

Adjourned: 9:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 31, 2019, 10:00 a.m.

Members Present: Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, January 24, 2019, 10:05 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:45 a.m.

ALSO:

Convened: Thursday, January 31, 2019, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 31, 2019, 10:00 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkom, and Miller-Meeks.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, January 31, 2019, 10:00 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: None.

Committee Business: Presentation on the Capitol Dome Project Department of Administrative Services—Major Maintenance.

Adjourned: 10:45 a.m.

INTRODUCTION OF BILLS

Senate File 158, by committee on Judiciary, a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

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

Senate File 159, 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 teacher licensure and providing for related matters.

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

Senate File 160, by committee on Education, a bill for an act relating to recommendations regarding school building emergency operations plans.

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

Senate File 161, 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 **Education**.

Senate File 162, by Danielson, 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 referred to committee on **State Government**.

Senate File 163, by Zaun, a bill for an act relating to state child care assistance, including income eligibility and waiting list guidelines and copayment requirements and providing an effective date.

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

Senate File 164, by Brown, a bill for an act exempting from the individual income tax the wages of individuals who are employed in high-demand jobs and including effective date and retroactive applicability provisions.

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

Senate File 165, by Zaun, Feenstra, Schultz, Whiting, Johnson, Chapman, Shipley, Guth, Edler, Brown, R. Smith, Segebart, Kraayenbrink, Kapucian, and Sweeney, a bill for an act relating to carrying and possessing weapons and acquiring pistols and revolvers, providing penalties, and including applicability provisions.

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

Senate File 166, by Zaun, a bill for an act requesting the establishment of a state university governance interim study committee.

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

Senate File 167, by committee on Education, a bill for an act relating to eligibility for the health care loan repayment program.

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

STUDY BILLS RECEIVED

SSB 1083 Commerce

Relating to the enhance Iowa board and moneys allocated by the board.

SSB 1084 Commerce

Relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

SSB 1085 Commerce

Providing for exceptions to the state child labor law.

SSB 1086 Commerce

Concerning unemployment insurance and including effective date and applicability provisions.

SSB 1087 Commerce

Prohibiting roundabouts on the primary road system.

SSB 1088 Commerce

Concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct.

SSB 1089 Commerce

Relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies.

SSB 1090 Transportation

Relating to the operation of authorized emergency vehicles and snow plows, making penalties applicable, and including effective date provisions.

SSB 1091 Judiciary

Providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

SSB 1092 Ethics

Relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-eighth General Assembly.

SSB 1093 Ethics

Relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

SSB 1094 Local Government

Relating to conflicts of interest in certain government public contracts.

SUBCOMMITTEE ASSIGNMENTS**Senate File 96**

STATE GOVERNMENT: Whiting, Chair; Bisignano and Schultz

Senate File 128

STATE GOVERNMENT: Whiting, Chair; Danielson and Schultz

Senate File 134

STATE GOVERNMENT: Whiting, Chair; Danielson and Schultz

Senate File 145

STATE GOVERNMENT: Whiting, Chair; Chapman and Danielson

Senate File 149

LOCAL GOVERNMENT: Lofgren, Chair; Boulton and Greene

Senate File 151

JUDICIARY: Sinclair, Chair; Shipley and R. Taylor

SSB 1083

COMMERCE: Nunn, Chair; Mathis and Sinclair

SSB 1084

COMMERCE: Koelker, Chair; Mathis and Miller-Meeks

SSB 1085

COMMERCE: Johnson, Chair; Bisignano and Koelker

SSB 1086

COMMERCE: Chapman, Chair; Bisignano and Brown

SSB 1087

COMMERCE: Chapman, Chair; Brown and Lykam

SSB 1088

COMMERCE: Chapman, Chair; Bisignano and Brown

SSB 1089

COMMERCE: Chapman, Chair; Quirmbach and R. Smith

SSB 1090

TRANSPORTATION: Brown, Chair; Breitbach and Danielson

SSB 1091

JUDICIARY: Dawson, Chair; Bisignano and Schultz

SSB 1092

ETHICS: Costello, Chair; Behn, Jochum, Kinney, Mathis, and Sweeney

SSB 1093

ETHICS: Costello, Chair; Behn, Jochum, Kinney, Mathis, and Sweeney

SSB 1094

LOCAL GOVERNMENT: Edler, Chair; Garrett and Hogg

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: *SENATE FILE 159 (SSB 1031), 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 teacher licensure and providing for related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, none. Absent, 1: J. Smith.

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 159, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 160 (SSB 1042), a bill for an act relating to recommendations regarding school building emergency operations plans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, none. Absent, 1: J. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 167 (SSB 1030), a bill for an act relating to eligibility for the health care loan repayment program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, none. Absent, 1: J. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 158 (SSB 1005), a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Schultz.

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 158, and they were attached to the committee report.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 4, 2019

The Senate met in regular session at 1:04 p.m., President Schneider presiding.

Prayer was offered by Roxanne Gissler, Certified Humanist Celebrant from Linn County. She was the guest of Senator T. Taylor.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Birdwell.

The Journal of Thursday, January 31, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:16 p.m. until 9:00 a.m., Tuesday, February 5, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

OFFICE OF THE ATTORNEY GENERAL

Attorney Contingency Fee Agreements Report, pursuant to Iowa Code section 23B.3. Report received on February 4, 2019.

Divestiture Program Report, pursuant to Iowa Code section 249F.8. Report received on February 1, 2019.

AUDITOR OF STATE

Audit of the Department of Justice Report, pursuant to 2018 Iowa Acts, HF 2492.
Report received on February 4, 2019.

ECONOMIC DEVELOPMENT AUTHORITY

Annual Report, pursuant to Iowa Code section 15.107B. Report received on
February 4, 2019.

DEPARTMENT OF HUMAN RIGHTS

Youth Development Council Annual Report, pursuant to Iowa Code section
216A.140. Report received on February 4, 2019.

REPORTS OF COMMITTEE MEETINGS

ETHICS

Convened: Monday, February 4, 2019, 2:15 p.m.

Members Present: Costello, Chair; Behn, Vice Chair; Jochum, Ranking Member;
Kinney, Mathis, and Sweeney.

Members Absent: None.

Committee Business: Committee meeting on SSB 1092 and SSB 1093 Committee
rules amendments: LSB 9013XD.7—all cell phones non-audible during committee and
subcommittee meetings, LSB 9013XD.8—all germane amendments offered in committee
shall be eligible for a vote, LSB 9013XD.9—posting of notice of subcommittee meeting
24 hours in advance with ability of chair to waive the 24 hour notice, and LSB
9013XD.10—all subcommittee meetings open to public.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: Monday, February 4, 2019, 4:05 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Danielson, Ranking
Member; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor,
Whiting, and Zumbach.

Members Absent: None.

Committee Business: SF's 43, 58, 61, 83; and SSB 1045.

Adjourned: 4:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 12, by Bolkcom, Dotzler, Jochum, J. Smith, Wahls, and Boulton, a joint resolution recognizing the fossil crinoid as the state fossil.

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

INTRODUCTION OF BILLS

Senate File 168, by Ragan and Mathis, a bill for an act relating to an ombudsman to provide Medicaid program assistance and advocacy.

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

Senate File 169, by Segebart, a bill for an act relating to bone marrow donation public awareness.

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

Senate File 170, by Rozenboom, a bill for an act relating to the publication duties of and the filling of vacancies on county agricultural extension councils and including effective date and applicability provisions.

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

Senate File 171, by Sinclair, a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions.

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

Senate File 172, by Sinclair, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions.

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

Senate File 173, by Petersen, R. Taylor, J. Smith, Boulton, Jochum, Bolkcom, Dotzler, T. Taylor, Wahls, Celsi, Ragan, and Bisignano, a bill for an act exempting the sale of feminine hygiene products and diapers from the sales tax.

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

Senate File 174, by Lykam, Cournoyer, Kinney, Koelker, Quirmbach, Bolkcom, Petersen, Ragan, J. Smith, Wahls, Boulton, Dotzler, R. Taylor, Celsi, and Danielson, a bill for an act relating to the manufacturing and equipment sales and use tax exemption, and including effective date provisions.

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

Senate File 175, by Bolkcom, R. Taylor, Celsi, and Dotzler, a bill for an act creating the Iowa end-of-life options Act and providing penalties.

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

Senate File 176, by T. Taylor, Bisignano, Bolkcom, Boulton, Celsi, Danielson, Dotzler, Hogg, Jochum, Kinney, Lykam, Mathis, Petersen, Quirmbach, Ragan, J. Smith, R. Taylor, and Wahls, 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 1095 Commerce

Relating to the removal of city utility board members, and including effective date provisions.

SSB 1096 Commerce

Relating to permissible interest rates and charges for certain loans.

SSB 1097 Judiciary

Relating to registration and bonding requirements for contractors, and providing criminal and civil penalties.

SSB 1098 Ways and Means

Relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, and including effective date and retroactive applicability provisions.

SSB 1099 Education

Relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

SSB 1100 State Government

Relating to the conduct of sports betting, providing for taxes, and making penalties applicable.

SSB 1101 Judiciary

Relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 154**

WAYS AND MEANS: Feenstra, Chair; Danielson and R. Smith

Senate File 161

EDUCATION: Sinclair, Chair; J. Smith and Zaun

Senate File 164

WAYS AND MEANS: Feenstra, Chair; Brown and Dotzler

Senate File 165

JUDICIARY: Schultz, Chair; Bisignano and Whiting

Senate File 166

EDUCATION: Behn, Chair; Wahls and Zaun

Senate File 172

EDUCATION: Sinclair, Chair; Celsi and Cournoyer

Senate File 173

WAYS AND MEANS: Chapman, Chair; Jochum and Sweeney

SSB 1095

COMMERCE: Feenstra, Chair; Petersen and R. Smith

SSB 1096

COMMERCE: Nunn, Chair; Koelker and Quirmbach

SSB 1097

JUDICIARY: Chapman, Chair; Hogg and Schultz

SSB 1098

WAYS AND MEANS: Feenstra, Chair; Bolkcom and R. Smith

SSB 1099

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

SSB 1100

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Dawson

SSB 1101

JUDICIARY: Garrett, Chair; Chapman, Dawson, Hogg, and Kinney

APPOINTED POSITIONS

February 1, 2019

Charlie Smithson
Secretary of the Senate
State Capitol Building

Dear Mr. W. Charles Smithson:

It is my pleasure to submit, pursuant to Iowa Code Section 2.32(2), the list of all appointed positions requiring gubernatorial action pursuant to Iowa Code Section 2.32(1)

Kim Reynolds
Governor

BY THE GOVERNOR

NUMBER OF POSITIONS

DIRECTORS

| | |
|--|---|
| IOWA DEPARTMENT OF NATURAL RESOURCES | 1 |
| OFFICE OF THE CHIEF INFORMATION OFFICER | 1 |
| IOWA CIVIL RIGHTS COMMISSION | 1 |
| IOWA DEPARTMENT OF CORRECTIONS | 1 |
| IOWA ECONOMIC DEVELOPMENT AUTHORITY | 1 |
| IOWA DEPARTMENT OF ADMINISTRATIVE SERVICES | 1 |
| IOWA DEPARTMENT OF INSPECTIONS AND APPEALS | 1 |
| IOWA DEPARTMENT OF MANAGEMENT | 1 |
| IOWA DEPARTMENT OF PUBLIC HEALTH | 1 |
| SUPERINTENDENT OF CREDIT UNIONS | 1 |
| OFFICE FOR STATE-FEDERAL RELATIONS | 1 |
| WORKFORCE DEVELOPMENT | 1 |

BOARD

| | |
|----------------------------------|---|
| ACCOUNTANCY EXAMINING BOARD | 3 |
| COMMISSION ON AGING | 3 |
| AGRICULTURAL DEVELOPMENT BOARD | 1 |
| ALCOHOLIC BEVERAGES DIVISION | 1 |
| ARCHITECTURAL EXAMINING BOARD | 2 |
| BOARD OF ATHLETIC TRAINING | 3 |
| IOWA AUTISM COUNCIL | 5 |
| BOARD OF BARBERING | 1 |
| BOARD OF BEHAVIORAL SCIENCE | 3 |
| COMMISSION FOR THE BLIND | 1 |
| BOILER AND PRESSURE VESSEL BOARD | 2 |

| | |
|--|---|
| CHILD ADVOCACY BOARD | 2 |
| BOARD OF CHIROPRACTIC | 1 |
| CITY DEVELOPMENT BOARD | 2 |
| IOWA STATE CIVIL RIGHTS COMMISSION | 4 |
| COMMISSION ON COMMUNITY ACTION AGENCIES | 3 |
| BOARD OF CORRECTIONS | 4 |
| BOARD OF COSMETOLOGY ARTS AND SCIENCES | 1 |
| COUNTY FINANCE COMMITTEE | 3 |
| CREDIT UNION REVIEW BOARD | 3 |
| CRIMINAL AND JUVENILE JUSTICE PLANNING | |
| ADVISORY COUNCIL | 1 |
| COMMISSION OF DEAF SERVICES | 2 |
| BOARD OF DENTISTRY | 3 |
| BOARD OF DIETETICS | 1 |
| IOWA DRUG POLICY ADVISORY COUNCIL | 2 |
| EARLY CHILDHOOD IOWA STATE BOARD | 4 |
| ECONOMIC DEVELOPMENT AUTHORITY | 5 |
| BOARD OF EDUCATIONAL EXAMINERS | 4 |
| ELECTRICAL EXAMINING BOARD | 4 |
| ELEVATOR SAFETY BOARD | 2 |
| ENGINEERING AND LAND SURVEYING EXAMINING BOARD | 2 |
| ENHANCE IOWA BOARD | 5 |
| ENVIRONMENTAL PROTECTION COMMISSION | 4 |
| IOWA FINANCE AUTHORITY BOARD OF DIRECTORS | 3 |
| IOWA GRAIN INDEMNITY FUND BOARD | 2 |
| IOWA GREAT PLACES ADVISORY BOARD | 4 |
| HEALTH FACILITIES COUNCIL | 2 |
| HEALTHY AND WELL KIDS IN IOWA BOARD (HAWK-ID) | 2 |
| BOARD OF HEARING AID SPECIALISTS | 2 |
| COUNCIL ON HUMAN SERVICES | 4 |
| INTERIOR DESIGN EXAMINING BOARD | 2 |
| IOWA INNOVATION CORPORATION | 1 |
| INVESTMENT BOARD OF THE IPERS | 2 |
| COMMISSION ON JUDICIAL QUALIFICATIONS | 1 |
| LANDSCAPE ARCHITECTURAL EXAMINING BOARD | 2 |
| LATINO AFFAIRS COMMISSION | 3 |
| LAW ENFORCEMENT ACADEMY COUNCIL | 4 |
| IOWA LOTTERY AUTHORITY BOARD OF DIRECTORS | 2 |
| BOARD OF MASSAGE THERAPY | 4 |
| BOARD OF MEDICINE | 5 |
| MENTAL HEALTH AND DISABILITY SERVICES | |
| COMMISSION | 7 |
| MENTAL HEALTH RISK POOL BOARD | 5 |
| BOARD OF MORTUARY SCIENCE | 2 |
| COMMISSION OF NATIVE AMERICAN AFFAIRS | 7 |

| | |
|---|---|
| NATURAL RESOURCE COMMISSION | 2 |
| BOARD OF NURSING | 3 |
| BOARD OF NURSING HOME ADMINISTRATORS | 2 |
| BOARD OF OPTOMETRY | 2 |
| IOWA COMPREHENSIVE PETROLEUM | |
| UNDERGROUND STORAGE TANK FUND BOARD | 1 |
| BOARD OF PHARMACY | 3 |
| BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY | 3 |
| BOARD OF PHYSICIAN ASSISTANTS | 4 |
| BOARD OF PODIATRY | 3 |
| PROPERTY ASSESSMENT APPEAL BOARD | 2 |
| PROPERTY ASSESSMENT APPEAL BOARD, CHAIR | 1 |
| BOARD OF PSYCHOLOGY | 2 |
| PUBLIC EMPLOYMENT RELATIONS BOARD | 1 |
| PUBLIC EMPLOYMENT RELATIONS BOARD, CHAIR | 1 |
| STATE RACING AND GAMING COMMISSION | 1 |
| REAL ESTATE APPRAISER EXAMINING BOARD | 2 |
| REAL ESTATE COMMISSION | 2 |
| STATE OF IOWA BOARD OF REGENTS | 3 |
| RENEWABLE FUEL INFRASTRUCTURE BOARD | 4 |
| BOARD OF RESPIRATORY CARE | 2 |
| BOARD OF SIGN LANGUAGE INTERPRETERS | 2 |
| AND TRANSLITERATORS | |
| BOARD OF SOCIAL WORK | 3 |
| BOARD OF SPEECH PATHOLOGY AND | |
| AUDIOLOGY | 2 |
| COMMISSION OF VETERANS AFFAIRS | 6 |
| COMMISSION ON TOBACCO USE PREVENTION AND CONTROL | 4 |
| IOWA BOARD OF VETERINARY MEDICINE | 1 |
| IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION | 2 |
| IOWA TELECOMMUNICATIONS AND TECHNOLOGY | |
| COMMISSION, CHAIR | 1 |
| IOWA UTILITIES BOARD | 1 |
| IOWA UTILITIES BOARD, CHAIR | 1 |
| IOWA WORKFORCE DEVELOPMENT BOARD | 6 |
| PLUMBING AND MECHANICAL SYSTEMS BOARD | 4 |
| SCHOOL BUDGET REVIEW COMMITTEE | 2 |
| STATE SOIL CONSERVATION COMMITTEE | 3 |
| TITLE GUARANTY DIVISION BOARD | 2 |

BY THE IOWA ATTORNEY GENERALS OFFICE

NUMBER OF POSITIONS

CONSUMER ADVOCATE

1

02/1/2019

Mr. W. Charles Smithson
Secretary of the Senate
State Capitol Building

Dear Mr. Smithson:

Our office submitted the list of gubernatorial interim appointments qualifying as the January group. These appointments were made to fill board and commission vacancies having become vacant since the conclusion of the 2018 legislative session.

However, not all positions meeting this description have thus far been filled. You will find all remaining vacancies requiring senate confirmation listed on the following sheet. The Governor's office has included the remaining vacancies in the February 1/March 1 List of 2019. This list has since been approved by Secretary of the Senate. The vacancies on the following sheet will be filled with a gubernatorial appointment or deferred by March 1 2019 in accordance with the Iowa Code Section 2.32 and Senate Rule 59.

If you believe this writing and subsequent list of appointments and vacancies does not meet all legal requirements within the Senate or the Iowa Code, please contact Nick Boeyink at 515-725-3509 to resolve the issue.

Sincerely,
Nick Boeyink
Director of Boards and Commissions

DIRECTORS

IOWA DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE CHIEF INFORMATION OFFICER
IOWA CIVIL RIGHTS COMMISSION
IOWA DEPARTMENT OF CORRECTIONS
IOWA ECONOMIC DEVELOPMENT AUTHORITY
IOWA DEPARTMENT OF ADMINISTRATIVE SERVICES
IOWA DEPARTMENT OF INSPECTIONS AND APPEALS
IOWA DEPARTMENT OF MANAGEMENT
IOWA DEPARTMENT OF PUBLIC HEALTH
SUPERINTENDENT OF CREDIT UNIONS
OFFICE FOR STATE-FEDERAL RELATIONS
WORKFORCE DEVELOPMENT

BOARD AND COMMISSION MEMBERS

BOARD OF ATHLETIC TRAINING

BOARD OF DENTISTRY

BOARD OF EDUCATIONAL EXAMINERS

SUCCEEDING

Rita Perea/Brenda Easter

Thomas Jeneary

Jay Prescott

| | |
|--|--------------------------------|
| BOARD OF MASSAGE THERAPY | David Edwards |
| BOARD OF MEDICINE | Katherine Asjes |
| BOARD OF RESPIRATORY CARE | Austin Mouw |
| CHILD ADVOCACY BOARD | Mark Hargrafen |
| COMMISSION OF NATIVE AMERICAN AFFAIRS | Larry Lasley |
| COMMISSION OF NATIVE AMERICAN AFFAIRS | Franklin Phillips |
| COMMISSION OF NATIVE AMERICAN AFFAIRS | Judy Yellowbank |
| COMMISSION OF NATIVE AMERICAN AFFAIRS | Dirk Whitebreast |
| COMMISSION OF NATIVE AMERICAN AFFAIRS | Dawn Buffalo |
| COMMISSION ON VETERANS AFFAIRS | Monica Blakely |
| COMMISSION ON AGING | Richard Stone |
| COMMISSION ON COMMUNITY ACTION AGENCIES | Joyce Hoepker/John Johnson |
| COMMISSION ON TOBACCO USE PREVENTION AND CONTROL | Brian Pins |
| COUNCIL ON HUMAN SERVICES | Phyllis Hansell |
| COUNCIL ON HUMAN SERVICES | Guy Richardson/Robert Brownell |
| CREDIT UNION REVIEW BOARD | Karyn Finn |
| CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL | Pam Kracht |
| EARLY CHILDHOOD IOWA STATE BOARD | Katie Lott |
| EARLY CHILDHOOD IOWA STATE BOARD | Elizabeth Colby-Plautz |
| ECONOMIC DEVELOPMENT AUTHORITY | Bruce Lehrman |
| ELECTRICAL EXAMINING BOARD | Chad Layland/Theodore Meiners |
| ENHANCE IOWA BOARD | Derek Lumsden |
| IOWA AUTISM COUNCIL | Sean Peterson |
| IOWA AUTISM COUNCIL | James Paprocki/Yogesh Shah |

| | |
|--|----------------------------------|
| IOWA LAW ENFORCEMENT ACADEMY COUNCIL | Brian Guy |
| IOWA STATE CIVIL RIGHTS COMMISSION | Lauren Haugh |
| IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION | Kathleen Kohorst/Fransen/Humburg |
| LATINO AFFAIRS COMMISSION | Michelle Reuss |
| LATINO AFFAIRS COMMISSION | Junior Jaime |
| LATINO AFFAIRS COMMISSION | Juan Rodriguez |
| MENTAL HEALTH AND DISABILITY SERVICES COMMISSION | Marilyn Seemann |
| MENTAL HEALTH RISK POOL | Linda Dunshee |
| MENTAL HEALTH RISK POOL | Patrick John Schmitz |
| MENTAL HEALTH RISK POOL | Mechelle Dhondt |
| PLUMBING AND MECHANICAL SYSTEMS BOARD | Rodney Schultz |
| PROPERTY ASSESSMENT APPEAL BOARD | Stewart Iverson |
| REAL ESTATE COMMISSION | Elizabeth Hansen |
| RENEWABLE FUEL INFRASTRUCTURE BOARD | Carol Balvanz |
| STATE SOIL CONSERVATION COMMITTEE | Lisa Donlon |

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 5, 2019

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

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

Victoria Daniels sang “America the Beautiful”. She was the guest of Senator Bisignano.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Seth Fiala.

The Journal of Monday, February 4, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:12 a.m. until 9:00 a.m., Wednesday, February 6, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF HUMAN SERVICES

Medicaid Reimbursement Comparison Report, pursuant to 2018 Iowa Acts, Chapter 1165, section 20, new subsection 26. Report received on February 5, 2019.

DEPARTMENT OF REVENUE

Iowa Streamlined Sales Tax Advisory Council Annual Report, pursuant to Iowa Code section 423.9A. Report received on February 5, 2019.

CERTIFICATE OF RECOGNITION

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

Christina Gassman, Epworth—For earning the Gold Award, the highest award in Girl Scouting. Senator Koelker.

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: Tuesday, February 5, 2019, 2:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Danielson, Dawson, Feenstra, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting.

Members Absent: Zaun (excused).

Committee Business: Passed out subcommittee lists.

Adjourned: 2:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 5, 2019, 10:00 a.m.

Members Present: Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 5, 2019, 10:05 a.m.

Members Present: Shipley, Chair; Rozenboom, Vice Chair; Mathis, Ranking Member; Kinney, and Sweeney.

Members Absent: None.

Committee Business: Presentation by Brandi Janssen I–Cash.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 5, 2019, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Iowa Public Television.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 5, 2019, 10:05 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkcom, and Miller-Meeks.

Members Absent: None.

Committee Business: Presentations: Children’s Board Report by Jerry Foxhoven, Director of the Department of Human Resources; Autism presentation by Evelyn Horton, Vice President of Children’s Services Balance Autism.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 5, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Carlin and T. Taylor.

Members Absent: Nunn, Vice Chair; and Hogg, Ranking Member (both excused).

Committee Business: Presentations by Judy Bradshaw, Director of the Iowa Law Enforcement Academy; and Major General Tim Orr, Iowa National Guard.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 5, 2019, 10:00 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: None.

Committee Business: Discussion.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 3, by committee on Ethics, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

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

Senate Concurrent Resolution 4, by Mathis, a concurrent resolution requesting establishment of an interim study committee to identify creative, environmental, and sustainable ways to limit single-use plastics.

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

Senate Resolution 2, by committee on Ethics, a resolution for relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-eighth General Assembly.

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

INTRODUCTION OF BILLS

Senate File 177, by Mathis, a bill for an act providing for the establishment of a teacher recruitment and retention task force.

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

Senate File 178, by Kinney, Celsi, R. Taylor, Boulton, Wahls, Lykam, J. Smith, Petersen, Jochum, Dotzler, and Bolkcom, 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 referred to committee on **Judiciary**.

Senate File 179, by R. Smith, a bill for an act establishing the offense of sexual activity with an individual sixteen or seventeen years of age, and providing penalties.

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

Senate File 180, by R. Smith, 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 referred to committee on **Judiciary**.

Senate File 181, by Brown, a bill for an act establishing a tree and forest advisory council.

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

Senate File 182, by Zaun, a bill for an act relating to state taxes by eliminating the individual income tax, increasing the sales and use tax rates, making conforming changes, and including effective date and applicability provisions.

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

Senate File 183, by Zaun, a bill for an act setting the dates for the submission of local public measures to the electors and including applicability provisions.

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

Senate File 184, by committee on Transportation, a bill for an act permitting the transportation of certain types of loads by motor vehicles exceeding certain weight limitations.

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

Senate File 185, by committee on Transportation, a bill for an act relating to motor vehicle registration fees for disabled veterans.

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

Senate File 186, by committee on Transportation, a bill for an act to increase the maximum capacity of certain motor vehicles operated by school district employees to transport children to activity events or from school to home in unusual situations.

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

Senate File 187, by committee on Transportation, a bill for an act relating to the gross weight of special trucks, and providing fees.

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

Senate File 188, by committee on Education, a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university.

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

Senate File 189, 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 190, by Ragan, Mathis, Danielson, Boulton, Wahls, Kinney, Dotzler, R. Taylor, Celsi, Bisignano, Lykam, Quirmbach, Bolkcom, Petersen, J. Smith, Jochum, and T. Taylor, a bill for an act establishing a home modification grant program within the department on aging, and providing an appropriation.

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

Senate File 191, by Ragan, Mathis, Danielson, Boulton, Wahls, Kinney, Dotzler, R. Taylor, Celsi, Bisignano, Lykam, Bolkcom, Petersen, Quirmbach, J. Smith, Jochum, and T. Taylor, a bill for an act relating to the family income eligibility requirement for state child care assistance.

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

Senate File 192, by Brown and Zumbach, a bill for an act relating to taking a capital gain deduction for the sale of real property used in a farming business.

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

Senate File 193, by Danielson, 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 1102 Ways and Means

Relating to the deduction of Iowa brewing ingredients from individual and corporate income taxes if used to make beer for sale, and including applicability provisions.

SSB 1103 Ways and Means

Relating to claiming the adoption tax credit for qualified adoption expenses paid or incurred during a tax year and including retroactive applicability provisions.

SSB 1104 Ways and Means

Relating to wagering taxes imposed on promotional play receipts.

SSB 1105 Ways and Means

Requiring the licensure of small dollar installment loan businesses, and providing criminal and civil penalties.

SSB 1106 Judiciary

Relating to the liability of the state, counties, municipalities, and employees thereof for certain torts, and including effective date and applicability provisions.

SSB 1107 Judiciary

Providing limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

SSB 1108 Labor and Business Relations

Relating to the supplemental nutrition assistance program and workfare.

SSB 1109 Labor and Business Relations

Relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order.

SSB 1110 Commerce

Relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

SSB 1111 Agriculture

Providing for the sale of certain mushrooms at farmers markets, and providing an effective date.

SSB 1112 Labor and Business Relations

Relating to professional licensing by limiting the authority of cities and counties to enact or enforce certain professional or occupational licensing laws, relating to qualifications for holding professional licenses, and including applicability provisions.

SSB 1113 Ways and Means

Relating to propane inspection and regulation, imposing an assessment, and making appropriations.

SSB 1114 Ways and Means

Exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers, including effective date and retroactive applicability provisions.

SSB 1115 State Government

Authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

SSB 1116 State Government

Providing for notarial acts, including by providing for the use of electronic media.

SSB 1117 State Government

Relating to the protection of certain patient information and data under the purview of the department of public health.

SSB 1118 State Government

Relating to canned cocktails and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 11**

STATE GOVERNMENT: Schultz, Chair; Johnson and T. Taylor

Senate File 76

TRANSPORTATION: Whiting, Chair; Danielson and Kapucian

Senate File 122

HUMAN RESOURCES: Greene, Chair; Costello and Ragan

Senate File 135

COMMERCE: Brown, Chair; Bolkom and Nunn

Senate File 136

COMMERCE: Brown, Chair; Bolkom and Nunn

Senate File 137

COMMERCE: Koelker, Chair; Johnson and Petersen

Senate File 141

LABOR AND BUSINESS RELATIONS: Whiting, Chair; Brown and T. Taylor

Senate File 142

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Koelker

Senate File 144

HUMAN RESOURCES: Segebart, Chair; Carlin and Ragan

Senate File 150

STATE GOVERNMENT: R. Smith, Chair; Chapman and T. Taylor

Senate File 155

STATE GOVERNMENT: Whiting, Chair; Danielson and Miller-Meeks

Senate File 157

HUMAN RESOURCES: Costello, Chair; Jochum and Johnson

Senate File 170

AGRICULTURE: Rozenboom, Chair; Costello and Ragan

Senate File 171

APPROPRIATIONS: Kraayenbrink, Chair; Rozenboom and Wahls

Senate File 174

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

Senate File 175

HUMAN RESOURCES: Johnson, Chair; Bolkcom and Segebart

Senate File 176

LABOR AND BUSINESS RELATIONS: Schultz, Chair; T. Taylor and Whiting

SSB 1099

(Reassigned)

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

SSB 1102

WAYS AND MEANS: Feenstra, Chair; Danielson and R. Smith

SSB 1103

WAYS AND MEANS: Feenstra, Chair; Jochum and Sweeney

SSB 1104

WAYS AND MEANS: Feenstra, Chair; Danielson and Dawson

SSB 1105

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

SSB 1106

JUDICIARY: Schultz, Chair; Hogg and Shipley

SSB 1107

JUDICIARY: Zaun, Chair; Nunn and R. Taylor

SSB 1108

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Whiting

SSB 1109

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Whiting

SSB 1110

COMMERCE: Koelker, Chair; Bisignano and Chapman

SSB 1111

AGRICULTURE: Zumbach, Chair; Kapucian and Mathis

SSB 1112

LABOR AND BUSINESS RELATIONS: Carlin, Chair; Brown and T. Taylor

SSB 1113

WAYS AND MEANS: Feenstra, Chair; Behn and Danielson

SSB 1114

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

SSB 1115

STATE GOVERNMENT: Johnson, Chair; Bisignano and Cournoyer

SSB 1116

STATE GOVERNMENT: Cournoyer, Chair; Celsi and R. Smith

SSB 1117

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

SSB 1118

STATE GOVERNMENT: Johnson, Chair; Bisignano and R. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE CONCURRENT RESOLUTION 1, 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.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 74, 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.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, and Wahls. Nays, 1: Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 188 (formerly SF 120), a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sinclair, Cournoyer, Behn, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, 3: Quirmbach, Celsi, and J. Smith. 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 188, and they were attached to the committee report.

ETHICS

Bill Title: SENATE RESOLUTION 2 (SSB 1092), a resolution for relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-eighth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Costello, Behn, Jochum, Kinney, Mathis, and Sweeney. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE CONCURRENT RESOLUTION 3 (SSB 1093), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Costello, Behn, Jochum, Kinney, Mathis, and Sweeney. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 184 (SSB 1045), a bill for an act permitting the transportation of certain types of loads by motor vehicles exceeding certain weight limitations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Koelker, Lykam, Shipley, Whiting, and Zumbach. Nays, 3: Kinney, J. Smith, and T. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 185 (formerly SF 61), a bill for an act relating to motor vehicle registration fees for disabled veterans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 186 (formerly SF 43), a bill for an act to increase the maximum capacity of certain motor vehicles operated by school district employees to transport children to activity events or from school to home in unusual situations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 187 (formerly SF 83), a bill for an act relating to the gross weight of special trucks, and providing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 6, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Chuck De Voss, of the Life Point Assembly of God Church in Osceola, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kate Hapgood.

The Journal of Tuesday, February 5, 2019, was approved.

BILLS REFERRED TO COMMITTEE

President Schneider announced that the following bills were referred from the Regular Calendar to the following committees under Rule 38:

| | |
|--------|------------------|
| SF 74 | Ways and Means |
| SF 184 | Ways and Means |
| SF 185 | Veterans Affairs |
| SF 187 | Ways and Means |

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:13 a.m. until 9:00 a.m., Thursday, February 7, 2019.

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

Medicaid Small Dollar Claims Audit Report, pursuant to 2018 Iowa Act, SF 2418, section 128. Report received on February 6, 2019.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, February 6, 2019, 11:30 a.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolcom, Ranking Member; Costello, Garrett, Greene, Guth, Lofgren, Lykam, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: Celsi, Dotzler, Johnson, Koelker, and Mathis (all excused).

Committee Business: Distributed subcommittee assignments.

Adjourned: 11:35 a.m.

COMMERCE

Convened: Wednesday, February 6, 2019, 10:05 a.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith.

Members Absent: Dawson and Feenstra (both excused).

Committee Business: Distributed subcommittee assignments. SSB 1021 passed with a voice vote. SSB 1084 passed with a voice vote with Senator Quirmbach recorded as a Nay. SF 25 passed with a voice vote.

Adjourned: 10:45 a.m.

HUMAN RESOURCES

Convened: Tuesday, January 15, 2019, 1:30 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Senator Bolkcom to present an amendment to the proposed committee rules. The amendment was stated, "The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive 24 hour posting before or after the subcommittee." Senator Miller-Meeks called for a vote on the amendment to the proposed committee rules. Senator Bolkcom requested a record roll-call vote. The secretary took roll. The amendment failed. Yeas: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan); Nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair recognized Senator Jochum to offer an amendment to the proposed committee rules. The amendment was stated, "All subcommittee meetings shall be open to the public." Senator Jochum requested a record roll-call vote. The chair called for a vote on the amendment to the proposed committee rules. The secretary took roll. The amendment failed. Yeas: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan); Nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair recognized Senator Quirmbach to offer an amendment to the proposed committee rules. The amendment was stated, "All germane amendments offered in committee shall be eligible for a vote." Senator Quirmbach requested that the wording of his amendment be recorded in the minutes. Senator Quirmbach requested a record roll-call vote. The chair called for a vote on the amendment to the proposed committee rules. The secretary took roll. The amendment failed. Yeas: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan); Nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair called for a vote on the proposed committee rules. The secretary took roll. The committee rules passed the committee. Yeas: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson); Nays: 5 (Mathis, Bolkcom, Jochum, Quirmbach, and Ragan).

Adjourned: 2:35 p.m.

ALSO:

Convened: Wednesday, January 23, 2019, 1:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:05 p.m.

ALSO:

Convened: Monday, January 28, 2019, 3:30 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Presentation from Linda Miller, Director of Iowa Department on Aging.

Adjourned: 4:00 p.m.

ALSO:

Convened: Wednesday, January 30, 2019, 3:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkom, Carlin, Costello, Edler, Greene, Johnson, and Ragan.

Members Absent: Garrett, Jochum, and Quirmbach (all excused).

Committee Business: Presentation from Marguerite Oetting, M.D., on birthing statistics regarding lawful permanent residents.

Adjourned: 3:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 5, 2019, 3:00 p.m.

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

Members Absent: Hogg, Ranking Member (excused).

Committee Business: Passed SF 46, as amended; passed SF 47, as amended; and passed SF 50.

Adjourned: 3:50 p.m.

TRANSPORTATION

Convened: Wednesday, February 6, 2019, 2:00 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: Danielson, Ranking Member (excused).

Committee Business: SF 42, SSB 1048, and SSB 1049.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: Tuesday, February 5, 2019, 4:00 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Chapman, Danielson, Nunn, and Quirmbach (all excused).

Committee Business: Minutes unanimously approved. Subcommittee assignments reviewed.

Adjourned: 4:05 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 5, by Whitver, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-eighth General Assembly.

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

Senate Resolution 3, by Whitver, a resolution for relating to permanent rules of the senate for the eighty-eighth general assembly.

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

INTRODUCTION OF BILLS

Senate File 194, by R. Taylor, a bill for an act requiring the natural resource commission to allow catfish to be taken by hand fishing and providing penalties.

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

Senate File 195, by Boulton, R. Taylor, Quirmbach, Bolkcom, Petersen, Jochum, J. Smith, Wahls, Dotzler, and T. Taylor, 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 196, by R. Taylor, Bolkcom, Petersen, Ragan, Mathis, Jochum, J. Smith, Wahls, Boulton, Kinney, Bisignano, Celsi, and Dotzler, a bill for an act relating to cost-based reimbursement for critical access hospitals under the Medicaid program.

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

Senate File 197, by committee on Transportation, a bill for an act allowing certain vans and pickups to be used to transport pupils to activity events or from school to home in emergency situations.

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

Senate File 198, by committee on Natural Resources and Environment, a bill for an act relating to landowner wild turkey and deer hunting tags.

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

Senate File 199, 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 200, by Bisignano, a bill for an act relating to retention and recertification elections for public employee collective bargaining units conducted by the public employment relations board.

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

Senate File 201, by Brown, a bill for an act relating to boards and commissions of the state.

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

Senate File 202, by committee on Natural Resources and Environment, a bill for an act relating to youth deer and youth wild turkey hunting licenses, and providing effective date and applicability provisions.

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

Senate File 203, by committee on Natural Resources and Environment, a bill for an act relating to stocking private waters and fishing on such waters.

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

Senate File 204, by Nunn, a bill for an act providing for an affirmative defense to certain claims relating to personal information security breach protection.

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

Senate File 205, by Carlin, a bill for an act exempting from the state sales tax the purchase price of tangible personal property or specified digital products sold and services furnished to a nonprofit food bank.

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

Senate File 206, by Carlin, a bill for an act requesting the establishment of a special education interim study committee.

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

Senate File 207, by Schneider, a bill for an act relating to peace officers and retired peace officers who provide street or highway driving instruction.

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

STUDY BILLS RECEIVED

SSB 1119 Natural Resources and Environment

Relating to administrative procedures within the department of natural resources.

SSB 1120 Natural Resources and Environment

Relating to fee programs for permittee participation in lieu of required compensatory mitigation of stream and wetland impacts and making appropriations.

SSB 1121 Natural Resources and Environment

Providing for the repeal of the honey creek premier destination park bond program.

SSB 1122 Natural Resources and Environment

Relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

SSB 1123 Agriculture

Establishing a partial property tax exemption for certain agricultural land planted with cover crops, providing penalties, and including applicability provisions.

SSB 1124 Local Government

Concerning county supervisor representation plans.

SSB 1125 State Government

Repealing the requirement that a groundwater hazard statement be submitted with each declaration of value that is submitted to a county recorder in order to grant, assign, transfer, or convey real property.

SSB 1126 Labor and Business Relations

Relating to professional licensing by limiting the authority of cities and counties to enact or enforce certain professional or occupational licensing laws and relating to qualifications for holding professional licenses.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 2**

HUMAN RESOURCES: Greene, Chair; Miller-Meeks and Quirmbach

Senate Concurrent Resolution 4

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Celsi and Kapucian

Senate Joint Resolution 12

STATE GOVERNMENT: Chapman, Chair; Feenstra and T. Taylor

Senate File 74

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

Senate File 147

HUMAN RESOURCES: Costello, Chair; Greene and Jochum

Senate File 148

HUMAN RESOURCES: Garrett, Chair; Mathis and Segebart

Senate File 156

HUMAN RESOURCES: Edler, Chair; Costello and Mathis

Senate File 162

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

Senate File 163

HUMAN RESOURCES: Edler, Chair; Jochum and Johnson

Senate File 168

HUMAN RESOURCES: Johnson, Chair; Costello and Ragan

Senate File 169

HUMAN RESOURCES: Segebart, Chair; Carlin and Quirmbach

Senate File 181

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Hogg and Kapucian

Senate File 182

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

Senate File 183

LOCAL GOVERNMENT: Edler, Chair; Greene and J. Smith

Senate File 184

WAYS AND MEANS: Behn, Chair; Danielson and Schultz

Senate File 187

WAYS AND MEANS: Behn, Chair; Danielson and Schultz

Senate File 190

HUMAN RESOURCES: Costello, Chair; Carlin and Jochum

Senate File 192

WAYS AND MEANS: Feenstra, Chair; Bolckcom and Brown

SSB 1119

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Celsi and Zumbach

SSB 1120

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Boulton and Zumbach

SSB 1121

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Segebart

SSB 1122

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Cournoyer

SSB 1123

AGRICULTURE: Kapucian, Chair; Ragan and Sweeney

SSB 1124

LOCAL GOVERNMENT: Garrett, Chair; Lofgren and Quirmbach

SSB 1125

STATE GOVERNMENT: Feenstra, Chair; Bisignano and Chapman

SSB 1126

LABOR AND BUSINESS RELATIONS: Guth, Chair; T. Taylor and Whiting

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE FILE 199 (SSB 1034), a bill for an act relating to voluntary diversity plans under the state's open enrollment law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 6: Quirmbach, Celsi, Danielson, Lofgren, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 198 (formerly SF 50), a bill for an act relating to landowner wild turkey and deer hunting tags.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Rozenboom, Shipley, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 202 (formerly SF 47), a bill for an act relating to youth deer and youth wild turkey hunting licenses, and providing effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Rozenboom, Shipley, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, 1: Hogg.

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 202, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 203 (formerly SF 46), a bill for an act relating to stocking private waters and fishing on such waters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Rozenboom, Shipley, Behn, Cournoyer, Kapucian, Segebart, Sweeney, and Zumbach. Nays, 4: Boulton, Celsi, Lykam, and J. Smith. Absent, 1: Hogg.

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 203, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 197 (formerly SF 58), a bill for an act allowing certain vans and pickups to be used to transport pupils to activity events or from school to home in emergency situations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 7, 2019

The Senate met in regular session at 9:03 a.m., President Schneider 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 Piper LaGrange.

The Journal of Wednesday, February 6, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:09 a.m. until 1:00 p.m., Monday, February 11, 2019.

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 7, 2019.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, February 7, 2019, 2:00 p.m.

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

Members Absent: Lykam (excused).

Committee Business: Considered SF 171.

Adjourned: 2:20 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 7, 2019, 1:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: Lykam (excused).

Committee Business: Presenters: Dr. Dermot Hayes, Iowa State Professor and Fellow of the American Agricultural Economics Association; and Susan Collins, President of Container Recycling Institute.

Adjourned: 1:45 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, February 7, 2019, 9:10 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolcom, Chapman, Feenstra, Ragan, Sinclair, and R. Smith.

Members Absent: Jochum (excused).

Committee Business: Assigned Gubernatorial Appointments. Consideration of SR 3 and SCR 5.

Adjourned: 9:20 a.m.

WAYS AND MEANS

Convened: Wednesday, February 6, 2019, 4:35 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Danielson (excused).

Committee Business: SSB 1059 passed unanimously by short form vote. SSB 1098 passed unanimously by short form vote.

Adjourned: 5:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, February 7, 2019, 10:00 a.m.

Members Present: Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 7, 2019, 10:00 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkcom, and Miller-Meeks.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 7, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Thursday, February 7, 2019, 10:05 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; and Boulton.

Members Absent: Dawson (excused).

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

Senate File 208, by committee on Transportation, a bill for an act increasing the maximum allowable length for stinger-steered automobile transporters.

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

Senate File 209, by committee on Education, a bill for an act to require school districts and accredited nonpublic schools to offer high school students an opportunity to take the United States citizenship and immigration services naturalization civics test, and including applicability provisions.

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

Senate File 210, by committee on Human Resources, a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

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

Senate File 211, by Mathis and Ragan, a bill for an act relating to a Medicaid managed care external review process for Medicaid provider appeals.

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

Senate File 212, by Sinclair, Sweeney, Garrett, Whiting, Cournoyer, Koelker, Chapman, Rozenboom, Schneider, Feenstra, Nunn, Kraayenbrink, Greene, Johnson, and Lofgren, a bill for an act creating the criminal offense of female genital mutilation and providing penalties.

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

Senate File 213, by Schultz, a bill for an act relating to the carrying, transportation, or possession of firearms on real property comprising a person's place of employment.

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

Senate File 214, by Schneider, a bill for an act relating to the establishment of a new deduction for any income of an employee resulting from the payment by an employer on the employee's qualified education loan and including effective date and retroactive applicability provisions.

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

Senate File 215, by Cournoyer, a bill for an act relating to the residency of members of the armed forces stationed at specified military installations for purposes of hunting, fishing, and trapping privileges.

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

Senate File 216, by Cournoyer, a bill for an act relating to demolition reserves on fire and casualty claims on real property located within a city and requesting an interim study on such reserves.

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

Senate File 217, by Mathis, a bill for an act relating to a program to recognize gender diversity on corporate boards.

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

Senate File 218, by Kinney, a bill for an act providing for a review of statutes and rules by the Iowa board of veterinary medicine.

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

Senate File 219, by Danielson, a bill for an act relating to an intercollegiate basketball scheduling requirement for institutions of higher learning under the control of the state board of regents.

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

Senate File 220, by committee on Ways and Means, a bill for an act relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, and including effective date and retroactive applicability provisions.

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

Senate File 221, by Lofgren, a bill for an act relating to preservation of interests and claims in real estate and including applicability provisions.

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

Senate File 222, by Mathis, a bill for an act relating to penalties for drivers of motor vehicles who pass, or fail to reduce speed or stop for, school buses, and including effective date provisions.

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

Senate File 223, by T. Taylor, Mathis, Wahls, Dotzler, R. Taylor, Celsi, Bisignano, Lykam, Quirmbach, Petersen, Ragan, J. Smith, Bolkcom, Jochum, Boulton, Danielson, Hogg, and Kinney, a bill for an act relating to wage discrimination under the Iowa civil rights Act of 1965, making penalties applicable, and establishing an equal pay task force.

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

Senate File 224, by J. Smith, Celsi, Wahls, Boulton, Dotzler, Lykam, Quirmbach, Bolkcom, Petersen, and Ragan, 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 225, 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 226, by committee on Transportation, a bill for an act relating to commercial driver's license requirements, and including applicability provisions.

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

Senate File 227, by committee on Transportation, a bill for an act relating to the display of registration plates on motor vehicles.

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

STUDY BILLS RECEIVED

SSB 1127 Veterans Affairs

Establishing a veterans recovery pilot program and fund for the reimbursement of expenses related to providing hyperbaric oxygen treatment to eligible veterans.

SSB 1128 Transportation

Relating to motor vehicles operated by an automated driving system, and making penalties applicable.

SSB 1129 Appropriations

Relating to appropriations from the rebuild Iowa infrastructure fund to the department of administrative services for major maintenance of monuments.

SSB 1130 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.

SSB 1131 Labor and Business Relations

Relating to public assistance program oversight.

SSB 1132 Labor and Business Relations

Requiring photo identification on electronic benefits transfer cards used under the food assistance program.

SSB 1133 Labor and Business Relations

Relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

SSB 1134 Labor and Business Relations

Relating to community engagement activity requirements under the Iowa health and wellness plan.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 11**
(Reassigned)

STATE GOVERNMENT: Schultz, Chair; R. Smith and T. Taylor

Senate File 184
(Reassigned)

WAYS AND MEANS: Brown, Chair; Chapman and Danielson

Senate File 193

TRANSPORTATION: Brown, Chair; Danielson and Shipley

Senate File 205

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

SSB 1127

VETERANS AFFAIRS: Koelker, Chair; Carlin and R. Taylor

SSB 1128

TRANSPORTATION: Cournoyer, Chair; Breitbach and T. Taylor

SSB 1129

APPROPRIATIONS: Johnson, Chair; Guth and Lykam

SSB 1130

APPROPRIATIONS: Johnson, Chair; Lofgren and Lykam

SSB 1131

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dotzler and Whiting

SSB 1132

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dotzler and Whiting

SSB 1133

LABOR AND BUSINESS RELATIONS: Brown, Chair; T. Taylor and Whiting

SSB 1134

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Guth

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 171, a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 20: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, 1: Lykam.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: SENATE FILE 172, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, and Sweeney. Nays, 4: Quirmbach, Celsi, J. Smith, and Wahls. Absent, 2: Danielson and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 209 (SSB 1043), a bill for an act to require school districts and accredited nonpublic schools to offer high school students an opportunity to take the United States citizenship and immigration services naturalization civics test, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, and Sweeney. Nays, 3: Quirmbach, Celsi, and Wahls. Absent, 2: Danielson and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: SENATE FILE 210 (formerly SF 84), a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-eighth General Assembly.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 2: Feenstra and Jochum.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 3, a resolution relating to permanent rules of the senate for the eighty-eighth general assembly.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3001.

Final Vote: Yeas, 9: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 2: Feenstra and Jochum.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 208 (SSB 1048), a bill for an act increasing the maximum allowable length for stinger-steered automobile transporters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kapucian, Brown, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, 1: Danielson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 226 (SSB 1049), a bill for an act relating to commercial driver's license requirements, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kapucian, Brown, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, 1: Danielson.

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 226, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 227 (formerly SF 42), a bill for an act relating to the display of registration plates on motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Kapucian, Brown, Breitbach, Cournoyer, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, 1: Kinney. Absent, 1: Danielson.

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 227, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 220 (SSB 1098), a bill for an act relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Danielson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 225 (SSB 1059), 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: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Danielson.

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)

Rosalind Peebles Fox, Ankeny

11/14/2018 – 04/30/2020

AUTISM COUNCIL, IOWA (Sec. 256.35A)

Yogesh Shah, Clive

11/14/2018 – 04/30/2019

CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3)

Justin Johnston, Sioux City

11/14/2018 – 04/30/2019

CULTURAL AFFAIRS, DIRECTOR OF THE DEPARTMENT OF (Sec. 303.1(5))

Chris Kramer, Clive

01/07/2019 – Pleasure of Governor

DRUG POLICY COORDINATOR (Sec. 80E.1)

Dale Woolery, Ankeny

01/07/2019 – Pleasure of Governor

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

David Schipper, Sioux City

12/06/2018 – 04/30/2020

Ryan Williamson, Grimes

12/06/2018 – 04/30/2020

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Paul Herold, Fort Atkinson

07/01/2018 – 04/30/2019

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

Lisa Gochenour, Logan

11/14/2018 – 04/30/2021

FINANCE AUTHORITY, EXECUTIVE DIRECTOR OF THE IOWA (Sec. 16.6)

Debi Durham, Sioux City

01/07/2019 – Pleasure of Governor

HEALTH FACILITIES COUNCIL (Sec. 135.62)

Stephen Dengle, West Des Moines

07/09/2018 – 04/30/2021

INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Katherine Stavneak, Des Moines

11/14/2018 – 04/30/2019

JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.2A)

Kathleen Law, Des Moines

12/14/2018 – 04/30/2022

LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)

Tiffany Creekmur, Mason City

11/14/2018 – 04/30/2022

LOTTERY AUTHORITY, CHIEF EXECUTIVE OFFICER OF THE IOWA

(Sec. 99G.5)

Matt Strawn, Des Moines

01/14/2019 – 04/30/2021

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5(1))

Russell Wood, Hampton

07/01/2018 – 04/30/2021

Lorrie Young, Mason City

07/01/2018 – 04/30/2020

PLUMBING AND MECHANICAL SYSTEMS BOARD (Sec. 105.3)

Rick Coffman, Cedar Falls

11/14/2018 – 04/30/2019

Matthew Wyant, Crescent

11/14/2018 – 04/30/2019

PUBLIC SAFETY, COMMISSIONER OF (Sec. 80.2)

Stephan Bayens, Des Moines

01/14/2019 – Pleasure of Governor

REGENTS, STATE BOARD OF (Sec. 262.1)

Frederick Lindenmayer, Ottumwa

07/01/2018 – 04/30/2019

REVENUE, DIRECTOR OF (Sec. 421.2)

Adam Humes, Grimes

01/03/2019 – Pleasure of Governor

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA (Sec. 8D.3(2))

Dawn Humburg, Humboldt

11/14/2018 – 04/30/2024

BY THE COMMISSIONTERM

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, EXECUTIVE
DIRECTOR OF THE IOWA (Sec. 8D.4)

Philip Groner, Clive

09/24/2018 – Pleasure of Commission

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 February 7, 2019:

COMMERCE

Debi Durham – Executive Director of the Iowa Finance Authority

Philip Groner – Executive Director of the Iowa Telecommunications and Technology Commission

EDUCATION

David Schipper – Board of Educational Examiners

Ryan Williamson – Board of Educational Examiners

Frederick Lindenmayer – State Board of Regents

HUMAN RESOURCES

Stephen Dingle – Health Facilities Council

Russell Wood – Mental Health and Disability Services Commission

Lorrie Young – Mental Health and Disability Services Commission

JUDICIARY

Justin Johnston – Iowa State Civil Rights Commission

Dale Woolery – Drug Policy Coordinator

Kathleen Law – State Judicial Nominating Commission

Tiffany Creekmur – Iowa Law Enforcement Academy Council

LABOR AND BUSINESS RELATIONS

Rick Coffman – Plumbing and Mechanical Systems Board

Matthew Wyant – Plumbing and Mechanical Systems Board

NATURAL RESOURCES AND ENVIRONMENT

Lisa Gochenour – Environmental Protection Commission

STATE GOVERNMENT

Rosalind Peebles Fox – Commission on the Status of African Americans

Chris Kramer – Director of the Department of Cultural Affairs

Paul Herold – Engineering and Land Surveying Examining Board

Katherine Stavneak – Interior Design Examining Board

Matt Strawn – Chief Executive Officer of the Iowa Lottery Authority

TRANSPORTATION

Stephan Bayens – Commissioner of Public Safety

WAYS AND MEANS

Adam Humes – Director of Revenue

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letter from the Governor was received in the office of the Secretary of the Senate on January 16, 2019:

I am withdrawing the name of Yogesh Shah to serve as a member of the Iowa Autism Council from further consideration by the Senate.

I am withdrawing the name of Yogesh Shah to serve as a member of the Iowa Telecommunications and Technology Commission 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 January 16, 2019:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Autism Council, formerly held by James Petrocki. 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 Telecommunications and Technology Commission, formerly held by Kathleen Kohorst. 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.

AMENDMENT FILED

S-3001 S.R. 3 Rules and Administration

JOURNAL OF THE SENATE

TWENTY-NINE CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 11, 2019

The Senate met in regular session at 1:02 p.m., President Schneider presiding.

Prayer was offered by Bill Kersting, Vice Chairman of Grand Avenue Community Outreach in Spencer, Iowa. He was the guest of Senator Whiting.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reece Kennedy from Wellsburg, Iowa. She is the daughter of Michelle and J.R. Kennedy and the guest of Senator Sweeney.

The Journal of Thursday, February 7, 2019, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 225** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

SPECIAL GUEST

Senator Zumbach introduced to the Senate chamber Sayaka Mochizuki, a Japanese governmental representative from the Yamanashi Prefecture.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:10 p.m. until 9:00 a.m., Tuesday, February 12, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF HUMAN SERVICES

Geriatric Patient Housing Review Report, pursuant to 2018 Iowa Acts, SF 2418, section 117. Report received on February 8, 2019.

DEPARTMENT OF PUBLIC DEFENSE

Offenses Reported to Civilian Law Enforcement Authorities, pursuant to Iowa Code section 29B.116B. Report received on February 8, 2019.

CERTIFICATES OF RECOGNITION

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

Jason Franzenburg and the Students of the Inven Team of Davenport West High School—For being one of fifteen schools selected to win a Lemelson-MIT Inven Team Grant. Senator Lykam.

Tristan James Kurth, Hampton—For reaching the rank of Eagle Scout, Troop #1120. Senator Ragan.

INTRODUCTION OF BILLS

Senate File 228, by committee on Commerce, a bill for an act relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

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

Senate File 229, 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 230, by committee on Commerce, a bill for an act relating to manufacturers of native distilled spirits and beer.

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

Senate File 231, by Zaun, a bill for an act providing for unified fire and emergency service departments.

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

Senate File 232, by Zaun, a bill for an act relating to the siting of wind energy conversion facilities.

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

Senate File 233, by Zaun, a bill for an act relating to customer choice regarding the installation of certain public utility meters.

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

Senate File 234, by Zaun, a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

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

Senate File 235, by Bolkcom, a bill for an act relating to domestic relations proceedings involving parties with a history of domestic abuse.

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

Senate File 236, by Danielson, a bill for an act relating to department of transportation contracts involving former employees of the department, and making penalties applicable.

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

Senate File 237, by committee on Judiciary, a bill for an act relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions.

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

STUDY BILLS RECEIVED

SSB 1135 Judiciary

Relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

SSB 1136 Judiciary

Relating to postconviction DNA profiling procedure.

SSB 1137 Judiciary

Relating to the confidentiality of information filed with the court used to secure an arrest warrant.

SSB 1138 Judiciary

Relating to excuse from jury service for persons at least seventy-two years of age.

SSB 1139 Judiciary

Requiring certain disclosures related to veterans' benefit services, and making penalties applicable.

SSB 1140 Judiciary

Relating to nonsubstantive Code corrections.

SSB 1141 State Government

Relating to restrictions on lawful preexisting nonconforming uses by cities and counties.

SSB 1142 Appropriations

Relating to appropriations to the judicial branch.

SSB 1143 Appropriations

Relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

SSB 1144 Judiciary

Relating to the dissemination and exhibition of obscene material to a minor by the parent or guardian of the minor, and providing penalties.

SSB 1145 Judiciary

Relating to state-funded interpreters and translators for limited-English-proficient, deaf, and hard-of-hearing persons in certain court proceedings and court-related activities.

SSB 1146 Judiciary

Relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions.

SSB 1147 Judiciary

Relating to debts for which the homestead is liable by providing that the homestead may be sold to satisfy debts secured by a mechanic's lien, including principal, interest, attorney fees, and costs.

SSB 1148 Transportation

Relating to wrecked or salvage motor vehicles.

REPORT OF COMMITTEE MEETING**JUDICIARY**

Convened: Monday, February 11, 2019, 2:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Nunn (excused).

Committee Business: SSB 1101 Judicial nomination; Senator Garrett.

Adjourned: 3:15 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 177**

EDUCATION: Rozenboom, Chair; J. Smith and Sweeney

Senate File 178

JUDICIARY: Zaun, Chair; Dawson and Kinney

Senate File 179

JUDICIARY: Sweeney, Chair; Bisignano and Shipley

Senate File 180

JUDICIARY: Dawson, Chair; Bisignano and Chapman

Senate File 189

JUDICIARY: Sinclair, Chair; Garrett and Petersen

Senate File 194

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Boulton and Kapucian

Senate File 195

LABOR AND BUSINESS RELATIONS: Guth, Chair; Bisignano and Brown

Senate File 200

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Whiting

Senate File 204

JUDICIARY: Nunn, Chair; Garrett and Hogg

Senate File 206

EDUCATION: Cournoyer, Chair; Celsi and Kraayenbrink

Senate File 207

EDUCATION: Rozenboom, Chair; Johnson and Wahls

Senate File 212

JUDICIARY: Sinclair, Chair; Petersen and Sweeney

Senate File 213

JUDICIARY: Schultz, Chair; Bisignano and Chapman

Senate File 215

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Shipley

Senate File 219

EDUCATION: Johnson, Chair; Danielson and Kraayenbrink

Senate File 221

LOCAL GOVERNMENT: Lofgren, Chair; Boulton and Garrett

Senate File 222

TRANSPORTATION: Shipley, Chair; Kinney and Zumbach

Senate File 224

EDUCATION: Sinclair, Chair; J. Smith and Zaun

Senate File 234

JUDICIARY: Zaun, Chair; Kinney and Shipley

SSB 1018
(Reassigned)

JUDICIARY: Dawson, Chair; Bisignano and Schultz

SSB 1135

JUDICIARY: Garrett, Chair; Dawson and Hogg

SSB 1136

JUDICIARY: Dawson, Chair; Kinney and Zaun

SSB 1137

JUDICIARY: Dawson, Chair; Kinney and Shipley

SSB 1138

JUDICIARY: Shipley, Chair; Chapman and R. Taylor

SSB 1139

JUDICIARY: Whiting, Chair; R. Taylor and Zaun

SSB 1140

JUDICIARY: Zaun, Chair; Dawson and R. Taylor

SSB 1141

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

SSB 1142

APPROPRIATIONS: Breitbach, Chair; Garrett and T. Taylor

SSB 1143

APPROPRIATIONS: Breitbach, Chair; Garrett and T. Taylor

SSB 1144

JUDICIARY: Sweeney, Chair; Chapman and Kinney

SSB 1145

JUDICIARY: Shipley, Chair; Schultz and R. Taylor

SSB 1146

JUDICIARY: Garrett, Chair; Hogg and Whiting

SSB 1147

JUDICIARY: Garrett, Chair; Hogg and Whiting

SSB 1148

TRANSPORTATION: Breitbach, Chair; Brown and Lykam

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 228 (SSB 1084), a bill for an act relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Sinclair, and R. Smith. Nays, 1: Quirmbach. Absent, 2: Dawson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 229 (formerly SF 25), 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: Yeas, 15: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 2: Dawson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 230 (SSB 1021), a bill for an act relating to manufacturers of native distilled spirits and beer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 2: Dawson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 237 (SSB 1101), a bill for an act relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Dawson, Chapman, Garrett, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, 1: Nunn.

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 11, 2019, to investigate the appointment and reappointment of the following appointees:

COMMERCE

As Executive Director of the Iowa Finance Authority:

Debi Durham – R. Smith, Chair; Chapman and Mathis

As Executive Director of the Iowa Telecommunications and Technology Commission:

Philip Groner – Johnson, Chair; Bolkcom and Miller-Meeks

EDUCATION

As members of the Board of Educational Examiners:

David Schipper – Kraayenbrink, Chair; Lofgren and J. Smith
Ryan Williamson – Edler, Chair; Celsi and Johnson

As a member of the State Board of Regents:

Frederick Lindenmayer – Rozenboom, Chair; Quirmbach and Sweeney

HUMAN RESOURCES

As a member of the Health Facilities Council:

Stephen Dingle – Greene, Chair; Edler and Quirmbach

As members of the Mental Health and Disability Services Commission:

Russell Wood – Edler, Chair; Greene and Ragan
Lorrie Young – Edler, Chair; Greene and Ragan

JUDICIARY

As a member of the Iowa State Civil Rights Commission:

Justin Johnston – Schultz, Chair; Hogg and Nunn

As the Drug Policy Coordinator:

Dale Woolery – Nunn, Chair; Kinney and Whiting

As a member of the State Judicial Nominating Commission:

Kathleen Law – Whiting, Chair; Bisignano and Sinclair

As a member of the Iowa Law Enforcement Academy Council:

Tiffany Creekmur – Schultz, Chair; Shipley and R. Taylor

LABOR AND BUSINESS RELATIONS

As members of the Plumbing and Mechanical Systems Board:

Rick Coffman – Whiting, Chair; Guth and T. Taylor
Matthew Wyant – Whiting, Chair; Guth and T. Taylor

NATURAL RESOURCES AND ENVIRONMENT

As a member of the Environmental Protection Commission:

Lisa Gochenour – Kapucian, Chair; Shipley and J. Smith

STATE GOVERNMENT

As a member of the Commission on the Status of African Americans:

Rosalind Peebles Fox – Miller-Meeks, Chair; Celsi and Johnson

As Director of the Department of Cultural Affairs:

Chris Kramer – R. Smith, Chair; Cournoyer and Jochum

As a member of the Engineering and Land Surveying Examining Board:

Paul Herold – Cournoyer, Chair; Johnson and T. Taylor

As a member of the Interior Design Examining Board:

Katherine Stavneak – Whiting, Chair; Celsi and Johnson

As Chief Executive Officer of the Iowa Lottery Authority:

Matt Strawn – R. Smith, Chair; Bisignano and Chapman

TRANSPORTATION

As Commissioner of Public Safety:

Stephan Bayens – Breitbach, Chair; Danielson and Kapucian

WAYS AND MEANS

As Director of Revenue:

Adam Humes – Feenstra, Chair; Behn and Jochum

AMENDMENT FILED

S-3002 S.F. 171 Tim Kraayenbrink

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 12, 2019

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by Reverend James Stogdill, pastor of the Messiah Lutheran Church in Johnston, Iowa. He was the guest of Senator Schultz.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Meis.

Alex Zumbach sang the National Anthem. He is the son of Michelle Zumbach and Senator Dan Zumbach.

The Journal of Monday, February 11, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 306, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions.

Read first time and attached to **companion Senate File 172**.

House File 307, a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, establishing transportation data review and reporting requirements, and including effective date provisions.

Read first time and attached to **similar Senate File 171**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:13 a.m. until 9:00 a.m., Wednesday, February 13, 2019.

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:

CHIEF INFORMATION OFFICER

Salary Report, pursuant to Iowa Code section 8A.341. Report received on February 12, 2019.

CERTIFICATES OF RECOGNITION

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

Andee Joos, Mingo—For her outstanding volunteer service promoting food security and recovery in Central Iowa. Senator Nunn.

Raegan Junge, Keystone—For receiving a 2019 Prudential Spirit of Community Award. Senator Kapucian.

Samuel Sexe, Humbolt—For receiving a 2019 Prudential Spirit of Community Award. Senator Kraayenbrink.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 12, 2019, 1:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Distributed subcommittee assignments and appointee subcommittee report.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 12, 2019, 10:00 a.m.

Members Present: Guth, Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

Members Absent: Zumbach, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 7, 2019, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

ALSO:

Convened: Tuesday, February 12, 2019, 10:05 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; and Koelker.

Members Absent: Quirmbach (excused).

Committee Business: Ryan Wise, Director of the Department of Education.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 12, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: Nunn, Vice Chair (excused).

Committee Business: Presentation by Stephan K. Bayens, Commissioner of Public Safety.

Adjourned: 11:15 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, February 12, 2019, 10:05 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 13, by R. Taylor, a joint resolution designating the channel catfish as the official state fish for the state of Iowa.

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

Senate Joint Resolution 14, by R. Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa providing that the people of the state have a right to hunt, fish, and harvest wildlife.

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

Senate Joint Resolution 15, by Schultz, a joint resolution requesting Congress to propose amendments to the Constitution of the United States that impose fiscal restraints on the federal government and limit the power and jurisdiction of the federal government and applying for a convention of the states under Article V of the Constitution of the United States to propose amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

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

INTRODUCTION OF BILLS

Senate File 238, by Guth, a bill for an act establishing the immunization safety and right of refusal Act, and providing penalties.

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

Senate File 239, by Guth and Zaun, a bill for an act providing for exemptions from immunization for a person's enrollment in any elementary or secondary school or licensed child care center.

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

Senate File 240, by Guth, Whiting, Chapman, Carlin, Costello, Garrett, Behn, Johnson, Rozenboom, Segebart, Cournoyer, Kraayenbrink, Feenstra, Sweeney, Schultz, and Edler, 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 **Local Government**.

Senate File 241, by Dotzler, a bill for an act relating to claims for unemployment insurance benefits and including applicability provisions.

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

Senate File 242, by Dotzler, a bill for an act relating to wage discrimination under the Iowa civil rights Act of 1965 and in state contracting, making penalties applicable, and establishing an equal pay task force.

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

Senate File 243, by Garrett, Chapman, Guth, Johnson, Whiting, Segebart, Greene, Zumbach, Behn, Rozenboom, Kapucian, Shipley, Zaun, Carlin, Sinclair, Sweeney, Costello, Cournoyer, Kraayenbrink, Edler, Feenstra, Nunn, R. Smith, Schultz, Miller-Meeks, and Breitbach, a bill for an act relating to the employment of unauthorized aliens and providing penalties.

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

Senate File 244, by Ragan and Bolkcom, a bill for an act relating to a study concerning a comprehensive approach to detecting, managing, and preventing elder abuse.

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

Senate File 245, by committee on Education, a bill for an act relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

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

Senate File 246, by committee on Education, a bill for an act relating to requirements for eligibility under the all Iowa opportunity scholarship program.

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

Senate File 247, by T. Taylor, a bill for an act increasing the state minimum hourly wage and providing for subsequent increases by the same percentage as the increase in federal social security benefits.

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

Senate File 248, by T. Taylor, Danielson, Kinney, J. Smith, Lykam, and R. Taylor, a bill for an act relating to the operation of railroad trains by a crew of two or more persons, providing penalties, and including effective date provisions.

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

Senate File 249, by T. Taylor, Dotzler, R. Taylor, Lykam, and Danielson, a bill for an act relating to the construction and maintenance of walkways in railroad yards, and providing penalties.

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

Senate File 250, by T. Taylor, Danielson, Kinney, J. Smith, Lykam, and R. Taylor, a bill for an act concerning matters relating to the transportation of railroad workers, and providing penalties.

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

Senate File 251, by Miller-Meeks, a bill for an act relating to the provision of Medicaid coverage to pregnant women lawfully residing in the United States.

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

Senate File 252, by Miller-Meeks, a bill for an act relating to the suspension of Medicaid coverage for an inmate of a public institution.

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

Senate File 253, by Hogg, a bill for an act relating to eligibility for state child care assistance.

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

Senate File 254, by Mathis, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders.

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

Senate File 255, by Danielson, a bill for an act relating to calculation of attorney fees for attorneys representing personal representatives in administration of estates.

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

Senate File 256, by Zaun, a bill for an act relating to the medical cannabidiol Act.

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

Senate File 257, by Petersen, a bill for an act exempting from the hotel and motel tax the sales price of lodging furnished by nonprofit lodging providers renting to the friends and family of hospital patients.

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

STUDY BILLS RECEIVED**SSB 1149 Labor and Business Relations**

Concerning unemployment insurance and including effective date and applicability provisions.

SSB 1150 Ways and Means

Relating to the assessment of certain subdivided real property and including applicability provisions.

SSB 1151 Commerce

Relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies.

SSB 1152 Commerce

Relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

SUBCOMMITTEE ASSIGNMENTS**Senate File 196**

HUMAN RESOURCES: Costello, Chair; Edler and Ragan

Senate File 211

HUMAN RESOURCES: Segebart, Chair; Greene and Ragan

Senate File 214

WAYS AND MEANS: Feenstra, Chair; Bolckcom and R. Smith

Senate File 216

COMMERCE: Miller-Meeks, Chair; Nunn and Quirmbach

Senate File 217

COMMERCE: Nunn, Chair; Brown and Mathis

Senate File 218

STATE GOVERNMENT: Whiting, Chair; Johnson and T. Taylor

Senate File 223

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and T. Taylor

Senate File 231

LOCAL GOVERNMENT: Edler, Chair; Segebart and J. Smith

Senate File 232

COMMERCE: Nunn, Chair; Johnson and Quirmbach

Senate File 233

COMMERCE: Koelker, Chair; Lykam and Sinclair

SSB 1149

LABOR AND BUSINESS RELATIONS: Carlin, Chair; Brown, Dotzler, Koelker, and T. Taylor

SSB 1150

WAYS AND MEANS: Behn, Chair; Dotzler and Schultz

SSB 1151

COMMERCE: Chapman, Chair; Bolckcom and Feenstra

SSB 1152

COMMERCE: Sinclair, Chair; Chapman and Petersen

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE FILE 170, a bill for an act relating to the publication duties of and the filling of vacancies on county agricultural extension councils and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: SENATE FILE 245 (SSB 1051), a bill for an act relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 246 (SSB 1052), a bill for an act relating to requirements for eligibility under the all Iowa opportunity scholarship program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

| | | | |
|--------|------|---|--------------------------------|
| S-3003 | S.R. | 2 | Jack Whitver Janet Petersen |
|--------|------|---|--------------------------------|

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 13, 2019

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

Prayer was offered by Pastor Mark Doss, the Regional Associate Superintendent of the Evangelical Free Church in Des Moines, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ami Penquite.

The Journal of Tuesday, February 12, 2019, 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 10:09 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 171.

Senate File 171

On motion of Senator Kraayenbrink, **Senate File 171**, a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Kraayenbrink offered amendment S-3002, filed by him on February 11, 2019, to page 3 and amending the title page of the bill, and moved its adoption.

Amendment S-3002 was adopted by a voice vote.

Senator Kraayenbrink asked and received unanimous consent that **House File 307** be **substituted** for **Senate File 171**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Jochum, until she arrives, on request of Senator Petersen; and Senator Nunn, until he arrives, on request of Senator Whitver.

House File 307

On motion of Senator Kraayenbrink, **House File 307**, a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, and including effective date provisions, 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. 307), the vote was:
Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Danielson |
| Dawson | Dotzler | Edler | Feenstra |
| Garrett | Greene | Guth | Hogg |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Jochum

Nunn

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 171** 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 Senate File 172.

Senate File 172

On motion of Senator Sinclair, **Senate File 172**, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that **House File 306** be **substituted** for **Senate File 172**.

House File 306

On motion of Senator Sinclair, **House File 306**, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions, was taken up for consideration.

Senator Celsi offered amendment S-3004, filed by Senator Celsi, 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-3004 be adopted?” (H.F. 306), the vote was:

Yeas, 17:

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

Nays, 31:

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

Absent, 2:

| | |
|--------|------|
| Jochum | Nunn |
|--------|------|

Amendment S-3004 lost.

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. 306), the vote was:

Yeas, 35:

| | | | |
|-----------|-----------|--------------|--------------|
| Behn | Bisignano | Breitbach | Brown |
| Carlin | Chapman | Costello | Cournoyer |
| Danielson | Dawson | Edler | Feenstra |
| Garrett | Greene | Guth | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Mathis | Miller-Meeks | Rozenboom |

Schneider
Sinclair
Whitver

Schultz
Smith, R.
Zaun

Segebart
Sweeney
Zumbach

Shipley
Whiting

Nays, 13:

Bolkcom
Hogg
Ragan
Wahls

Boulton
Lykam
Smith, J.

Celsi
Petersen
Taylor, R.

Dotzler
Quirmbach
Taylor, T.

Absent, 2:

Jochum

Nunn

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 172** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 306** and **307** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 5 and Senate Resolutions 2 and 3.

Senate Concurrent Resolution 5

On motion of Senator Whitver, **Senate Concurrent Resolution 5**, A concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-eighth General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of Senate Concurrent Resolution 5, which motion prevailed by a voice vote.

Senate Resolution 2

On motion of Senator Costello, **Senate Resolution 2**, a resolution for relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-eighth General Assembly, was taken up for consideration.

Senator Whitver offered amendment S-3003, filed by Senators Whitver and Petersen on February 12, 2019, to pages 5-8, 10, and 24-25 of the resolution, and moved its adoption.

Amendment S-3003 was adopted by a voice vote.

Senator Costello moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote.

Senate Resolution 3

On motion of Senator Whitver, **Senate Resolution 3**, a resolution for relating to permanent rules of the senate for the eighty-eighth general assembly, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Petersen offered amendment S-3005, filed by Senator Petersen, et al., from the floor to pages 31-33 of the resolution, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3005 be adopted?" (S.R. 3), the vote was:

Yeas, 17:

Bisignano
Danielson
Lykam
Ragan
Wahls

Bolkcom
Dotzler
Mathis
Smith, J.

Boulton
Hogg
Petersen
Taylor, R.

Celsi
Kinney
Quirmbach
Taylor, T.

Nays, 31:

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

Absent, 2:

Jochum Nunn

Amendment S–3005 lost.

Senator Whitver offered amendment S–3001, filed by the committee on Rules and Administration on February 7, 2019, to page 47 of the resolution, and moved its adoption.

Amendment S–3001 was adopted by a voice vote.

Senator Whitver moved the adoption of Senate Resolution 3, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Concurrent Resolution 5** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:24 a.m. until 9:00 a.m., Thursday, February 14, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF MANAGEMENT

Biennial State Mandates Report Legislative Sessions 2015 and 2016, pursuant to Iowa Code section 25B.4. Report received on February 13, 2019.

Biennial State Mandates Report Legislative Sessions 2017 and 2018, pursuant to Iowa Code section 25B.4. Report received on February 13, 2019.

CERTIFICATES OF RECOGNITION

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

Cameron Haugen, Asbury—For reaching the rank of Eagle Scout, Troop #91. Senator Koelker.

Ethan Hoefler, Dyersville—For reaching the rank of Eagle Scout, Troop #60. Senator Koelker.

Karen Mitchell, Latimer—Upon her retirement. Senator Ragan.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, February 13, 2019, 1:05 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Petersen (excused).

Committee Business: SSB 1057 – sexual misconduct with offender, with amendment, Senator Schultz; SSB 1009 – Targeted attack, with amendment, Senator Chapman; SSB 1037 – Massage therapy, Senator Zaun; SSB 1066 – Debt management services, with amendment, Senator Nunn; SSB 1072 – Surety bond, Senator Shipley.

Adjourned: 1:20 p.m.

TRANSPORTATION

Convened: Wednesday, February 13, 2019, 2:00 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Danielson, Ranking Member; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: None.

Committee Business: SF 76, SF 88, and SSB 1050.

Adjourned: 2:35 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 16, by Carlin, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to restricting certain individual income tax changes.

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

Senate Resolution 4, by Mathis, a resolution for requesting the convening of a conference of stakeholders to discuss the state's strategy for addressing the increasing aging population in Iowa and its effect on the state and Iowa's communities.

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

Senate Resolution 5, by Carlin, a resolution for congratulating the Morningside College Mustangs football team on winning the National Association of Intercollegiate Athletics National Championship.

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

INTRODUCTION OF BILLS

Senate File 258, by Kinney, a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody, and providing penalties.

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

Senate File 259, by Feenstra, a bill for an act relating to the definition of person from the moment of conception until natural death under the criminal code.

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

Senate File 260, by Danielson, a bill for an act providing for a chief operations officer within the office of the governor.

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

Senate File 261, by Zaun, a bill for an act relating to the practice of alternative and complementary medicine, and making penalties applicable.

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

Senate File 262, by Zumbach, a bill for an act relating to the recovery of costs and certain payment disclosures associated with the closure of electric power generating facilities.

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

Senate File 263, by Zaun, a bill for an act requiring certain disclosures related to veterans' benefit services, and making penalties applicable.

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

Senate File 264, by Sinclair, a bill for an act relating to petitions for reclassification of certain secondary roads.

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

STUDY BILLS RECEIVED

SSB 1153 State Government

Eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

SSB 1154 Commerce

Relating to vegetation management by certain electric suppliers.

SSB 1155 Local Government

Relating to the composition of county compensation boards.

SSB 1156 Commerce

Relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

SSB 1157 Ways and Means

Relating to sales tax exemptions on the sale of instructional materials at postsecondary institutions and on sales where profits are used by or donated to such institutions.

SSB 1158 Ways and Means

Relating to the selling or furnishing of water by mobile home parks including creating an exemption to the water service excise tax, and by modifying qualifications for public water supply systems.

SUBCOMMITTEE ASSIGNMENTS

Senate File 163 (Reassigned)

HUMAN RESOURCES: Edler, Chair; Johnson and Mathis

Senate File 201

STATE GOVERNMENT: R. Smith, Chair; Danielson and Miller-Meeks

Senate File 225

APPROPRIATIONS: Koelker, Chair; Greene and Wahls

Senate File 236

TRANSPORTATION: Cournoyer, Chair; Brown and Danielson

Senate File 238

HUMAN RESOURCES: Greene, Chair; Bolkcom and Carlin

Senate File 239

HUMAN RESOURCES: Greene, Chair; Carlin and Quirmbach

Senate File 240

LOCAL GOVERNMENT: Guth, Chair; Edler and Hogg

Senate File 241

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and Dotzler

Senate File 242

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and Dotzler

Senate File 244

HUMAN RESOURCES: Segebart, Chair; Garrett and Ragan

Senate File 247

LABOR AND BUSINESS RELATIONS: Schultz, Chair; T. Taylor and Whiting

Senate File 248

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

Senate File 249

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

Senate File 250

TRANSPORTATION: Shipley, Chair; Koelker and T. Taylor

Senate File 251

HUMAN RESOURCES: Miller-Meeks, Chair; Johnson and Quirmbach

Senate File 252

HUMAN RESOURCES: Miller-Meeks, Chair; Carlin and Quirmbach

Senate File 257

WAYS AND MEANS: Feenstra, Chair; Brown and Danielson

SSB 1153

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Whiting

SSB 1154

COMMERCE: Sinclair, Chair; Bisignano and Johnson

SSB 1155

LOCAL GOVERNMENT: Edler, Chair; Garrett and J. Smith

SSB 1156

COMMERCE: Johnson, Chair; Koelker and Mathis

SSB 1157

WAYS AND MEANS: Feenstra, Chair; Jochum and Schultz

SSB 1158

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 13, 2019, when the votes were taken on House Files 306 and 307. Had I been present, I would have voted YEA on both.

ZACH NUNN

AMENDMENTS FILED

| | | | |
|--------|------|-----|---|
| S-3004 | H.F. | 306 | <p>Claire Celsi Tony Bisignano Joe Bolkcom Nate Boulton Jeff Danielson William A. Dotzler, Jr. Robert M. Hogg Pam Jochum Kevin Kinney Jim Lykam Liz Mathis Janet Petersen Herman C. Quirmbach Amanda Ragan Jackie Smith Rich Taylor Todd Taylor Zach Wahls</p> |
| S-3005 | S.R. | 3 | <p>Janet Petersen Tony Bisignano Joe Bolkcom Nate Boulton Claire Celsi Jeff Danielson William A. Dotzler, Jr. Robert M. Hogg Pam Jochum Kevin Kinney Jim Lykam Liz Mathis Herman C. Quirmbach Amanda Ragan Jackie Smith Rich Taylor Todd Taylor Zach Wahls</p> |

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 14, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Scott Meador of the Lovely Lane United Methodist Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

Margaret Guth sang “My Life Flows On”. She is the wife and secretary of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Wednesday, February 13, 2019, was approved.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, February 18, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

CHIEF INFORMATION OFFICER

Donations, Grants, Gifts, and Contributions Report, pursuant to Iowa Code section 8B.6. Report received on February 14, 2019.

Internal Service Fund Report FY 2018, pursuant to Iowa Code section 8B.13. Report received on February 14, 2019.

Internal Service Fund Report FY 2019, pursuant to Iowa Code section 8B.13. Report received on February 14, 2019.

lowAccess Revolving Fund Report FY 2017, pursuant to Iowa Code section 8B.33. Report received on February 14, 2019.

lowAccess Revolving Fund Report FY 2018, pursuant to Iowa Code section 8B.33. Report received on February 14, 2019.

CERTIFICATE OF RECOGNITION

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

Amy Bossard, Ankeny—For receiving the 2019 Varsity Brands School Spirit Award. Senator Whitver.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 14, 2019, 2:10 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Presentation by Lori Beary, Community Development Director, Iowa Finance Authority speaking on Waste Water Treatment. Recognition of the Logan Luft family and their advocacy work for organ donation. Passage of bills: SF 86, SSB 1121, SSB 1122, SF 215.

Adjourned: 2:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 14, 2019, 10:05 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; and Quirmbach.

Members Absent: Koelker (excused).

Committee Business: Organizational meeting.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 14, 2019, 10:00 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; and Miller-Meeks.

Members Absent: Ragan, Ranking Member; and Bolkcom (both excused).

Committee Business: Presentations from DHS, Judicial Branch, and Advocates from Coalition for Family and Children's Services and Boys Town of Iowa.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 14, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; and T. Taylor.

Members Absent: Carlin (excused).

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 14, 2019, 10:00 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: None.

Committee Business: Secretary of State Paul Pate and Christy Wilson Deputy Secretary State Historical Building – Director Chris Kramer, Iowa Department of Cultural Affairs, Susan Kloewer – Administrator, State Historical Society of Iowa, Craig Thompson, Vice President, Ryan Companies, Mark Nelson, Project Manager, Ryan Companies, Channing Swanson, Principal, Neumann Monson Architects.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by committee on Human Resources, a concurrent resolution recognizing the work of the Mother's Milk Bank of Iowa.

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

INTRODUCTION OF BILLS

Senate File 265, by committee on Agriculture, a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date.

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

Senate File 266, by committee on Transportation, a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft.

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

Senate File 267, by committee on Judiciary, a bill for an act relating to the practice of massage therapy, and providing penalties.

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

Senate File 268, by committee on Judiciary, a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions.

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

Senate File 269, by Segebart, a bill for an act establishing a home modification grant program within the department on aging, and providing an appropriation.

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

Senate File 270, by Schneider, a bill for an act relating to the health education requirement for grades nine through twelve under the education standards.

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

Senate File 271, by committee on Transportation, a bill for an act relating to motor vehicles, including registration plates and the minimum standard of transparency for window tint, providing fees, providing penalties, and making penalties applicable.

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

Senate File 272, by committee on Judiciary, a bill for an act relating to the provision of debt management services in connection with educational loans, and making penalties applicable.

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

Senate File 273, by committee on Judiciary, a bill for an act relating to the criminal elements for the commission of sexual misconduct with offenders and juveniles, and providing penalties.

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

Senate File 274, 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 275, by Judiciary, a bill for an act relating to the criminal offenses of assault by threat of a targeted attack and cyberharassment, and providing penalties.

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

STUDY BILLS RECEIVED**SSB 1159 Judiciary**

Concerning jurors, relating to access to certain department of revenue taxpayer information for jury list compilation and juror information confidentiality.

SSB 1160 State Government

Relating to political and campaign ethics, including the reporting of certain gifts and bequests received by the executive branch and attribution statements on published materials, and making penalties applicable.

SSB 1161 Commerce

Relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance.

SSB 1162 Commerce

Prohibiting pyramid promotional schemes and making penalties applicable.

SSB 1163 Education

Authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between accredited nonpublic schools and community colleges.

SSB 1164 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 1165 Education

Relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program.

SSB 1166 Ways and Means

Exempting from the state sales and use tax the purchase price of tangible personal property, specified digital products, or services paid for or reimbursed by Medicaid.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 14**

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Cournoyer

Senate Resolution 4

HUMAN RESOURCES: Costello, Chair; Mathis and Segebart

Senate File 235

JUDICIARY: Dawson, Chair; Kinney and Sinclair

Senate File 243

JUDICIARY: Garrett, Chair; Hogg and Schultz

Senate File 254

JUDICIARY: Dawson, Chair; Chapman and Kinney

Senate File 255

JUDICIARY: Schultz, Chair; Hogg and Nunn

Senate File 256

JUDICIARY: Zaun, Chair; Sinclair and R. Taylor

Senate File 258

JUDICIARY: Kinney, Chair; Shipley and Whiting

Senate File 259

JUDICIARY: Chapman, Chair; Petersen and Sweeney

Senate File 261

HUMAN RESOURCES: Greene, Chair; Carlin and Ragan

Senate File 262

COMMERCE: Chapman, Chair; Feenstra and Mathis

SSB 1004
(Reassigned)

JUDICIARY: Chapman, Chair; Bisignano and Zaun

SSB 1154
(Reassigned)

COMMERCE: Sinclair, Chair; Johnson and Mathis

SSB 1159

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

SSB 1160

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

SSB 1161

COMMERCE: Johnson, Chair; Quirnbach and Sinclair

SSB 1162

COMMERCE: Dawson, Chair; Johnson and Lykam

SSB 1163

EDUCATION: Sinclair, Chair; Kraayenbrink and Wahls

SSB 1164

APPROPRIATIONS: Breitbach, Chair; Costello and Lykam

SSB 1165

EDUCATION: Edler, Chair; Cournoyer and Quirnbach

SSB 1166

WAYS AND MEANS: Feenstra, Chair; Chapman and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 265 (SSB 1111), a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 265, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 274 (SSB 1099), 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: Yeas, 11: Sinclair, Cournoyer, Quirmbach, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 4: Celsi, Danielson, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 274, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE CONCURRENT RESOLUTION 6 (formerly SCR 2), a concurrent resolution recognizing the work of the Mother's Milk Bank of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Miller-Meeks, Segebart, Mathis, Bolkcom, Costello, Garrett, Greene, Quirmbach, and Ragan. Nays, none. Absent, 4: Carlin, Edler, Jochum, and Johnson.

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 Concurrent Resolution 6, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 267 (SSB 1037), a bill for an act relating to the practice of massage therapy, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 268 (SSB 1072), a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 272 (SSB 1066), a bill for an act relating to the provision of debt management services in connection with educational loans, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Petersen.

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 272, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 273 (SSB 1057), a bill for an act relating to the criminal elements for the commission of sexual misconduct with offenders and juveniles, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Petersen.

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 273, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 275 (SSB 1009), a bill for an act relating to the criminal offenses of assault by threat of a targeted attack and cyberharassment, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 2: Hogg and R. Taylor. Absent, 1: Petersen.

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 275, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 86, a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 76, a bill for an act relating to the use of an electronic communication device while driving, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 266 (SSB 1050), a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 271 (formerly SF 88), a bill for an act relating to motor vehicles, including registration plates and the minimum standard of transparency for window tint, providing fees, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: 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 Transportation Committee on Senate File 271, and they were attached to the committee report.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 18, 2019

The Senate met in regular session at 1:01 p.m., President Schneider presiding.

Prayer was offered by Pastor Jeff Ferguson of the Glory Baptist Church in Carlisle, Iowa. He was the guest of Senator Nunn.

PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, February 14, 2019, was approved.

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 13, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 9, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

Read first time and attached to **companion Senate Concurrent Resolution 3**.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 76 and 271** were referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:40 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller-Meeks, until she arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 113 and 139.

Senate File 113

On motion of Senator Nunn, **Senate File 113**, a bill for an act allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 113), the vote was:

Yeas, 48:

Behn
Breitbach
Chapman
Dotzler

Bisignano
Brown
Costello
Edler

Bolkcom
Carlin
Cournoyer
Feenstra

Boulton
Celsi
Dawson
Garrett

| | | | |
|--------------|------------|------------|-----------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Miller-Meeks

Vacant, 1.

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

Senate File 139

On motion of Senator Edler, **Senate File 139**, a bill for an act relating to a financial literacy requirement under the state's educational standards, 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. 139), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Miller-Meeks

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 113 and 139** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 230.

Senate File 230

On motion of Senator Breitbach, **Senate File 230**, a bill for an act relating to manufacturers of native distilled spirits and beer, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 230), the vote was:

Yeas, 46:

| | | | |
|-----------|-----------|--------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Chapman |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |

Smith, J.
Taylor, T.
Zaun

Smith, R.
Wahls
Zumbach

Sweeney
Whiting

Taylor, R.
Whitver

Nays, 2:

Celsi

Costello

Absent, 1:

Miller-Meeks

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 Concurrent Resolution 3.

Senate Concurrent Resolution 3

On motion of Senator Costello, **Senate Concurrent Resolution 3**, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly, was taken up for consideration.

Senator Costello asked and received unanimous consent that **House Concurrent Resolution 9** be **substituted** for **Senate Concurrent Resolution 3**.

House Concurrent Resolution 9

On motion of Senator Costello, **House Concurrent Resolution 9**, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly, was taken up for consideration.

Senator Costello moved the adoption of House Concurrent Resolution 9, which motion prevailed by a voice vote.

WITHDRAWN

Senator Costello asked and received unanimous consent that **Senate Concurrent Resolution 3** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 230** and **House Concurrent Resolution 9** 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 220.

Senate File 220

On motion of Senator Feenstra, **Senate File 220**, a bill for an act relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, 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. 220), the vote was:
Yeas, 48:

| | | | |
|--------------|-----------|-----------|----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |

Shipley
Sweeney
Whiting

Sinclair
Taylor, R.
Whitver

Smith, J.
Taylor, T.
Zaun

Smith, R.
Wahls
Zumbach

Nays, none.

Absent, 1:

Miller-Meeks

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 220** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:15 p.m. until 9:00 a.m., Tuesday, February 19, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

CHIEF INFORMATION OFFICER

Information Technology Services Financial Report, pursuant to Iowa Code section 8B.21. Report received on February 15, 2019.

LEGISLATIVE SERVICES AGENCY

Urban Renewal Report–Tax Increment Financing (TIF), pursuant to Iowa Code section 331.403. Report received on February 15, 2019.

DEPARTMENT OF MANAGEMENT

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on February 15, 2019.

DEPARTMENT OF NATURAL RESOURCES

Low-Level Radioactive Waste Compact Report, pursuant to Iowa Code section 457B.1. Report received on February 18, 2019.

CERTIFICATE OF RECOGNITION

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

Bow Tie Automotive Collision Repair, Tipton—For operating over 25 years in business. Senator Wahls.

REPORTS OF COMMITTEE MEETINGS

TRANSPORTATION

Convened: Monday, February 18, 2019, 2:15 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; T. Taylor, Ranking Member; Breitbach, Cournoyer, Jochum, Kinney, Koelker, Lykam, Shipley, J. Smith, Whiting, and Zumbach.

Members Absent: None.

Committee Business: SF 62 and SSB 1128.

Adjourned: 2:50 p.m.

WAYS AND MEANS

Convened: Monday, February 18, 2019, 3:05 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SF 132, passed unanimously short form vote. SF 1, passed-yays: 11; nays: 6 (Senators Jochum, Bolkcom, Dotzler, Quirmbach, J. Smith, and Wahls.)

Adjourned: 4:00 p.m.

INTRODUCTION OF BILLS

Senate File 276, by Mathis, a bill for an act relating to specified professional benefits, accommodations, and representations, and including effective date provisions.

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

Senate File 277, by Cournoyer, a bill for an act relating to manufacturers of alcoholic beverages.

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

Senate File 278, by Petersen, Bolkcom, Quirmbach, Celsi, T. Taylor, R. Taylor, Wahls, J. Smith, and Mathis, a bill for an act requiring community colleges and institutions of higher learning governed by the state board of regents to offer to certain students financial literacy programs designed to reduce student loan debt.

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

Senate File 279, by Shipley, Cournoyer, Segebart, Schultz, Behn, Sinclair, Zaun, Edler, Miller-Meeks, Sweeney, Guth, Breitbach, Brown, Zumbach, Johnson, Koelker, Kapucian, Rozenboom, Greene, Kraayenbrink, Feenstra, Kinney, Bisignano, R. Taylor, T. Taylor, Celsi, Lykam, Quirmbach, Bolkcom, Petersen, Ragan, Mathis, J. Smith, Danielson, Wahls, and Boulton, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, making appropriations, including penalties, and providing implementation and effective date provisions.

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

Senate File 280, by committee on Natural Resources and Environment, a bill for an act relating to the residency of members of the armed forces stationed at specified military installations for purposes of hunting, fishing, and trapping privileges.

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

Senate File 281, 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 282, by committee on Natural Resources and Environment, a bill for an act providing for the repeal of the honey creek premier destination park bond program.

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

Senate File 283, by committee on Local Government, a bill for an act relating to conflicts of interest in certain government public contracts.

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

Senate File 284, by Lofgren, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts and including effective date and applicability provisions.

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

Senate File 285, by Boulton, a bill for an act providing for criminal offenses related to beekeeping.

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

Senate File 286, by Chapman and Behn, 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 referred to committee on **Transportation**.

Senate File 287, by Chapman, a bill for an act relating academic eligibility standards for public school students participating in extracurricular interscholastic athletic contests or competitions.

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

Senate File 288, 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 289, by Chapman, a bill for an act repealing statewide registration requirements for interior designers.

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

Senate File 290, by Chapman, a bill for an act relating to goose hunting on private property.

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

Senate File 291, by Koelker, a bill for an act relating to the dispensing of insulin in emergency situations, and providing for insurance coverage.

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

Senate File 292, by Greene, a bill for an act relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

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

Senate File 293, by Sweeney, a bill for an act creating an exemption to the water services excise tax.

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

Senate File 294, 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, creating a safety net fund, making transfers, and providing for related state personal income tax rate reductions, and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

SSB 1167 Judiciary

Creating a blue alert program within the department of public safety for the apprehension of a person suspected of killing or seriously injuring a peace officer in the line of duty or due to safety concerns for a peace officer missing while on duty.

SSB 1168 State Government

Relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

SSB 1169 Agriculture

Relating to the definition of “circus” and making penalties applicable.

SSB 1170 Judiciary

Relating to the nonconsensual termination of and serious injury to a human pregnancy, and providing penalties.

SSB 1171 Judiciary

Relating to the peace officer, public safety, and emergency personnel bill of rights, and providing an immediate effective date.

SSB 1172 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 1173 Commerce

Modifying provisions relating to the licensure of professional landscape architects.

SSB 1174 Commerce

Relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

SSB 1175 Commerce

Relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

SSB 1176 Commerce

Providing for the good-faith submission of information, records, applications, and documents to the credit union division.

SSB 1177 Commerce

Relating to procedural requirements for the merger of state credit unions.

SSB 1178 Commerce

Modifying provisions relating to the certification of real estate appraisers and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate File 26**
(Reassigned)

TRANSPORTATION: Zumbach, Chair; Cournoyer and T. Taylor

Senate File 54
(Reassigned)

EDUCATION: Sinclair, Chair; Ragan and Zaun

Senate File 191

HUMAN RESOURCES: Edler, Chair; Jochum and Johnson

Senate File 193
(Reassigned)

TRANSPORTATION: Brown, Chair; Lykam and Shipley

Senate File 219
(Reassigned)

EDUCATION: Johnson, Chair; Kraayenbrink and Quirmbach

Senate File 236
(Reassigned)

TRANSPORTATION: Cournoyer, Chair; Brown and Jochum

Senate File 253

HUMAN RESOURCES: Edler, Chair; Bolkcom and Johnson

Senate File 263

VETERANS AFFAIRS: Costello, Chair; Carlin and Ragan

Senate File 264

TRANSPORTATION: Shipley, Chair; Koelker and J. Smith

Senate File 270

EDUCATION: Edler, Chair; Kraayenbrink and Ragan

Senate File 278

EDUCATION: Rozenboom, Chair; Sweeney and Wahls

Senate File 279

AGRICULTURE: Shipley, Chair; Kapucian, Kinney, Wahls, and Zumbach

Senate File 285

JUDICIARY: R. Taylor, Chair; Sweeney and Zaun

SSB 1025
(Reassigned)

TRANSPORTATION: Kapucian, Chair; Kinney and Shipley

SSB 1167

JUDICIARY: Dawson, Chair; Kinney and Whiting

SSB 1168

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Dawson

SSB 1169

AGRICULTURE: Costello, Chair; Edler and Wahls

SSB 1170

JUDICIARY: Chapman, Chair; Petersen and Zaun

SSB 1171

JUDICIARY: Dawson, Chair; Kinney and Shipley

SSB 1172

JUDICIARY: Whiting, Chair; R. Taylor and Zaun

SSB 1173

COMMERCE: R. Smith, Chair; Koelker and Quirmbach

SSB 1174

COMMERCE: Nunn, Chair; Johnson and Mathis

SSB 1175

COMMERCE: Breitbach, Chair; Bolkcom and Nunn

SSB 1176

COMMERCE: Breitbach, Chair; Bolkcom and Nunn

SSB 1177

COMMERCE: Nunn, Chair; Bolkcom and Breitbach

SSB 1178

COMMERCE: R. Smith, Chair; Chapman and Petersen

FINAL COMMITTEE REPORTS OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: *SENATE FILE 283 (SSB 1094), a bill for an act relating to conflicts of interest in certain government public contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Edler, Greene, J. Smith, Garrett, Guth, Kraayenbrink, Lofgren, and Segebart. Nays, 3: Boulton, Hogg, 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 Local Government Committee on Senate File 283, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 280 (formerly SF 215), a bill for an act relating to the residency of members of the armed forces stationed at specified military installations for purposes of hunting, fishing, and trapping privileges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, 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 Natural Resources and Environment Committee on Senate File 280, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 281 (SSB 1122), 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: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 282 (SSB 1121), a bill for an act providing for the repeal of the honey creek premier destination park bond program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RESIGNATION OF SENATOR

February 14, 2019

Senate President Charles Schneider
Iowa Capitol
Des Moines, Iowa 50319

Speaker Linda Upmeyer
Iowa Capitol
Des Moines, Iowa 50319

President Whitver and Speaker Upmeyer,

I resign my position as Iowa State Senator effective immediately.

Sincerely,

Jeff Danielson

COMMITTEE CHANGES

Senator Petersen announced the following changes to the following committees:

| | |
|------------------|--|
| Education | Amanda Ragan (replacing Danielson) |
| State Government | Jim Lykam (replacing Danielson) |
| Transportation | Todd Taylor now Ranking Member Pam Jochum (replacing Danielson) |
| Veterans Affairs | Kevin Kinney (replacing Danielson) |
| Ways and Means | Jackie Smith (replacing Danielson) |

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 19, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by The Most Reverend Bishop Zinkula of the Catholic Diocese of Davenport. He was the guest of Senators Lofgren and Lykam.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ben Theuma.

The Journal of Monday, February 18, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:06 a.m. until 9:00 a.m., Wednesday, February 20, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF WORKFORCE DEVELOPMENT

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on February 19, 2019.

New Career Vocational Training and Education Program Report, pursuant to 2017 Iowa Acts, HF 518, section 18(2)(f). Report received on February 19, 2019.

CERTIFICATE OF RECOGNITION

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

Kevin Dill, Waterloo—For continuing the mission by helping veterans in need.
Senator Dotzler.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 19, 2019, 1:05 p.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirnbach, Sinclair, and R. Smith.

Members Absent: Miller-Meeks (excused).

Committee Business: SSB 1110 was removed from bills to be discussed. SSB 1085, as amended, passed with a voice vote. SSB 1044, as amended, passed with a voice vote. SSB 1096 passed with a voice vote. SSB 1083 passed with a voice vote. SSB 1156 passed with a voice vote. SSB 1151, as amended, passed with a record role call vote.

Adjourned: 1:55 p.m.

STATE GOVERNMENT

Convened: Tuesday, February 19, 2019, 3:10 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Miller-Meeks (excused).

Committee Business: SF 53, SSB 1115, SSB 1118, and SF 67.

Adjourned: 3:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 19, 2019, 10:05 a.m.

Members Present: Shipley, Chair; Mathis, Ranking Member; Kinney, and Sweeney.

Members Absent: Rozenboom, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 19, 2019, 10:05 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: IJAG Presentation Iowa Department for the Blind.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 19, 2019, 10:15 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; and Bolkom.

Members Absent: Miller-Meeks (excused).

Committee Business: Presentation on Iowa Medicaid.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, February 19, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Presentations by Division Administrator Steve Michael, Division of Criminal Juvenile Justice Planning, and by Director Joyce Flinn, Department of Homeland Security and Emergency Management.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 19, 2019, 10:05 a.m.

Members Present: Johnson, Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: R. Smith, Vice Chair (excused).

Committee Business: Presentation by Chief Information Officer.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 6, by Whiting, a resolution for congratulating Seth Rollins on his recent Royal Rumble victory and acknowledging his upcoming match for the World Wrestling Entertainment, Inc. (WWE) Universal Championship against Brock Lesnar at WrestleMania 35.

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

INTRODUCTION OF BILLS

Senate File 295, by Behn, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

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

Senate File 296, by Behn, Garrett, Greene, Chapman, Guth, Costello, Edler, Shipley, Zaun, Kapucian, Schultz, Segebart, Cournoyer, Johnson, Zumbach, Sweeney, Rozenboom, Carlin, Whiting, and Feenstra, a bill for an act creating a capital murder offense by establishing the penalty of death for murder in the first degree offenses involving kidnapping and sexual abuse offenses against the same victim who is a minor, and including effective date and applicability provisions.

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

Senate File 297, by Behn, 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 referred to committee on **Education**.

Senate File 298, by Lofgren, a bill for an act relating to the burden of proof in certain judicial proceedings involving school boards and rules adopted by the department of education.

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

Senate File 299, by Shipley, a bill for an act providing for the regulation of certain food products by using the term meat.

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

Senate File 300, by J. Smith, a bill for an act related to allowable annual salaries for deputy county auditors in charge of elections administration.

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

Senate File 301, by J. Smith and Carlin, a bill for an act authorizing city utilities to provide a reduced rate to certain persons based on age.

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

Senate File 302, by committee on Transportation, a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable.

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

Senate File 303, by committee on Transportation, a bill for an act relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary.

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

Senate File 304, by committee on Labor and Business Relations, a bill for an act relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

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

Senate File 305, by committee on Labor and Business Relations, a bill for an act relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order.

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

Senate File 306, 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 307, by committee on Ways and Means, 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 **placed on Ways and Means calendar**.

Senate File 308, by Zaun, a bill for an act relating to the exclusion of retirement income from the computation of the individual income tax including providing an exclusion for the federal civil service retirement system, and phasing in an exclusion of other retirement income, and including retroactive applicability provisions.

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

Senate File 309, by T. Taylor, a bill for an act relating to unemployment compensation benefits and department-approved training.

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

Senate File 310, by Wahls, a bill for an act providing limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

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

Senate File 311, by Wahls, a bill for an act providing for access to feminine hygiene products in public school restrooms.

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

Senate File 312, by Wahls, a bill for an act providing for the development of a strategic plan regarding renewable energy production in the state.

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

Senate File 313, by Dawson, a bill for an act relating to evidence of title by state banks for certain loans.

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

Senate File 314, by Brown, a bill for an act establishing a shortline railroad restoration tax credit, and including effective date and retroactive applicability provisions.

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

Senate File 315, by Chapman, a bill for an act establishing the criminal offense of unlawful presence in the state, and providing penalties.

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

Senate File 316, by committee on Education, a bill for an act requesting the establishment of a special education interim study committee.

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

Senate File 317, by Quirmbach, R. Taylor, Dotzler, Wahls, J. Smith, Celsi, Jochum, Mathis, Ragan, Petersen, Bolkcom, and Boulton, a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

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

Senate File 318, by Quirmbach, R. Taylor, Dotzler, Wahls, J. Smith, Celsi, Jochum, Mathis, Petersen, Bolkcom, and Boulton, a bill for an act establishing the office of student loan ombudsman within the college student aid commission.

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

STUDY BILLS RECEIVED

SSB 1179 Transportation

Relating to distance requirements for electronically coordinated motor vehicles following in a sequence.

SSB 1180 Transportation

Relating to towable recreational vehicles, making penalties applicable, and including applicability provisions.

SSB 1181 Agriculture

Providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

SSB 1182 Agriculture

Relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying reporting requirements regarding agricultural liming material, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 6**
(Reassigned)

STATE GOVERNMENT: Schultz, Chair; Lykam and Whiting

Senate Joint Resolution 13

STATE GOVERNMENT: R. Smith, Chair; Celsi and Cournoyer

Senate Joint Resolution 15

STATE GOVERNMENT: Schultz, Chair; Jochum and Whiting

Senate Joint Resolution 16

WAYS AND MEANS: Carlin, Chair; Dotzler and Sweeney

Senate File 35
(Reassigned)

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

Senate File 56
(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Lykam

Senate File 76

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

Senate File 82

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Carlin

Senate File 95
(Reassigned)

STATE GOVERNMENT: Feenstra, Chair; Chapman and Lykam

Senate File 103
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dawson and J. Smith

Senate File 128
(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Lykam and Schultz

Senate File 131
(Reassigned)

WAYS AND MEANS: Dawson, Chair; Carlin and J. Smith

Senate File 133
(Reassigned)

WAYS AND MEANS: Behn, Chair; Dawson and Jochum

Senate File 134
(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Lykam and Schultz

Senate File 145
(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Chapman and Lykam

Senate File 154
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dotzler and R. Smith

Senate File 162
(Reassigned)

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

Senate File 184
(Reassigned)

WAYS AND MEANS: Brown, Chair; Chapman and Wahls

Senate File 187
(Reassigned)

WAYS AND MEANS: Behn, Chair; Schultz and Wahls

Senate File 201
(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Lykam and Miller-Meeks

Senate File 257
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Brown and J. Smith

Senate File 260

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

Senate File 271

WAYS AND MEANS: Feenstra, Chair; Edler and Wahls

Senate File 276

LABOR AND BUSINESS RELATIONS: Brown, Chair; Carlin and T. Taylor

Senate File 277

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and R. Smith

Senate File 284

EDUCATION: Lofgren, Chair; Cournoyer and Ragan

Senate File 286

TRANSPORTATION: Zumbach, Chair; Kinney and Shipley

Senate File 287

EDUCATION: Kraayenbrink, Chair; Lofgren and J. Smith

Senate File 288

JUDICIARY: Chapman, Chair; Schultz and R. Taylor

Senate File 293

WAYS AND MEANS: Sweeney, Chair; Behn and J. Smith

SSB 1039
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and R. Smith

SSB 1102
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dotzler and R. Smith

SSB 1104
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

SSB 1113
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Behn and Quirmbach

SSB 1179

TRANSPORTATION: Brown, Chair; Breitbach and T. Taylor

SSB 1180

TRANSPORTATION: Kapucian, Chair; Jochum and Shipley

SSB 1181

AGRICULTURE: Brown, Chair; Wahls and Zumbach

SSB 1182

AGRICULTURE: Kapucian, Chair; Ragan and Sweeney

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 316 (formerly SF 206), a bill for an act requesting the establishment of a special education interim study committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, 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 Education Committee on Senate File 316, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 304 (SSB 1133), a bill for an act relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, R. Taylor. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 305 (SSB 1109), a bill for an act relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Schultz, Whiting, Brown, Carlin, Guth, Koelker, and Nunn. Nays, 4: T. Taylor, Bisignano, Dotzler, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 302 (SSB 1128), a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Jochum, Kinney, Koelker, Lykam, Shipley, J. Smith, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 303 (formerly SF 62), a bill for an act relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Jochum, Kinney, Koelker, Lykam, Shipley, J. Smith, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: 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 303, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 306 (formerly SF 132), 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: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 307 (formerly SF 1), a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Quirmbach, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------|
| S-3006 | S.F. | 265 | Dan Zumbach |
| S-3007 | S.F. | 86 | Waylon Brown |

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 20, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was sung by the Honorable Michael Breitbach, member of the Senate from Clayton, County, Strawberry Point, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sam Sampson.

The Journal of Tuesday, February 19, 2019, was approved.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:27 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller-Meeks and Zaun, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 86.

Senate File 86

On motion of Senator Rozenboom, **Senate File 86**, a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses, with report of committee recommending passage, was taken up for consideration.

Senator Brown offered amendment S-3007, filed by him on February 19, 2019, to page 1 of the bill, and moved its adoption.

Amendment S-3007 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?" (S.F. 86), the vote was:

Yeas, 47:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zumbach | |

Nays, none.

Absent, 2:

| | |
|--------------|------|
| Miller-Meeks | Zaun |
|--------------|------|

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 86** be **immediately messaged** to the House.

The Senate stood at ease at 9:40 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:09 a.m., President Schneider presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 198 and 229.

Senate File 198

On motion of Senator Cournoyer, **Senate File 198**, a bill for an act relating to landowner wild turkey and deer hunting tags, was taken up for consideration.

Senator Cournoyer 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. 198), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Miller-Meeks

Vacant, 1.

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

Senate File 229

On motion of Senator Chapman, **Senate File 229**, 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 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. 229), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Miller-Meeks

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 198 and 229** 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 265 and 267.

Senate File 265

On motion of Senator Zumbach, **Senate File 265**, a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that action on **Senate File 265** be **deferred**.

Senate File 267

On motion of Senator Zaun, **Senate File 267**, a bill for an act relating to the practice of massage therapy, 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?" (S.F. 267), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|-----------|----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |

Shipley
Sweeney
Whiting

Sinclair
Taylor, R.
Whitver

Smith, J.
Taylor, T.
Zaun

Smith, R.
Wahls
Zumbach

Nays, none.

Absent, 1:

Miller-Meeks

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 267** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 203.

Senate File 203

On motion of Senator Rozenboom, **Senate File 203**, a bill for an act relating to stocking private waters and fishing on such waters, was taken up for consideration.

Senator Boulton offered amendment S-3008, 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-3008 be adopted?" (S.F. 203), the vote was:

Yeas, 17:

Bisignano
Dotzler
Lykam
Ragan
Wahls

Bolkcom
Hogg
Mathis
Smith, J.

Boulton
Jochum
Petersen
Taylor, R.

Celsi
Kinney
Quirmbach
Taylor, T.

Nays, 31:

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

Absent, 1:

Miller-Meeks

Vacant, 1.

Amendment S—3008 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. 203), the vote was:

Yeas, 34:

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

Nays, 14:

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

Absent, 1:

Miller-Meeks

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 265

The Senate resumed consideration of **Senate File 265**, a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date, previously deferred.

Senator Zumbach offered amendment S-3009, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3009 was adopted by a voice vote.

With the adoption of amendment S-3009, the Chair ruled amendment S-3006, filed by Senator Zumbach on February 19, 2019, to page 1 of the bill, out of order.

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. 265), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Miller-Meeks

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 203 and 265 be immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:10 a.m. until 9:00 a.m., Thursday, February 21, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Liliana Chatman, New Hampton—For being an Oratory Finalist for “Barbie’s Image”. Senator Brown.

Quinten Reicks, New Hampton—For being an Oratory Finalist for “The Gift of Life”. Senator Brown.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, February 19, 2019, 4:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: SSB’s 1013, 1056, 1140, 1070, 1068, 1055, and 1016.

Adjourned: 5:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 24, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: LSA's presentation of FY 2020 Governor's Budget Recommendations.

Adjourned: 10:50 a.m.

ALSO:

Convened: Tuesday, January 29, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

ALSO:

Convened: Thursday, February 7, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

ALSO:

Convened: Thursday, February 14, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

ALSO:

Convened: Tuesday, February 19, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Presentations by Division Administrator Steve Michael, Division of Criminal Juvenile Justice Planning, and by Director Joyce Flinn, Department of Homeland Security and Emergency Management.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 7, by Zumbach, a concurrent resolution recognizing the importance of multilateral trade agreements to Iowa's economy and urging Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico.

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

Senate Joint Resolution 17, by committee on State Government, 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 BILLS

Senate File 319, by committee on Education, a bill for an act relating to peace officers and retired peace officers who provide street or highway driving instruction.

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

Senate File 320, 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 321, by committee on Commerce, a bill for an act relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

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

Senate File 322, by committee on Commerce, a bill for an act relating to the enhance Iowa board and moneys allocated by the board.

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

Senate File 323, by committee on State Government, a bill for an act relating to canned cocktails and including effective date provisions.

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

Senate File 324, by Wahls, a bill for an act providing for time off to care for or transport a child in the event of a school cancellation, late start, or early dismissal due to inclement weather and making penalties applicable.

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

Senate File 325, by Wahls, a bill for an act relating to the deposit and transfer of real estate transfer tax receipts, and including effective date provisions.

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

Senate File 326, by Feenstra, a bill for an act prohibiting the expenditure of certain public moneys for dues or membership fees to certain high school athletic organizations.

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

Senate File 327, by committee on Judiciary, a bill for an act relating to the calculation of certain court costs in probate matters, and including effective date and applicability provisions.

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

Senate File 328, by committee on Judiciary, a bill for an act relating to the civil commitment of sexually violent predators.

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

Senate File 329, by committee on Judiciary, a bill for an act relating to expert witness testimony in child sexual abuse and child endangerment cases.

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

Senate File 330, by committee on Commerce, a bill for an act relating to the division of domestic stock insurers.

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

Senate File 331, by committee on Commerce, a bill for an act relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies.

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

Senate File 332, by Zaun, a bill for an act relating to motor vehicle damage repair under motor vehicle insurance policies and deceptive acts or practices by motor vehicle insurers.

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

Senate File 333, 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 334, by committee on Labor and Business Relations, a bill for an act relating to public assistance program oversight.

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

Senate File 335, by committee on State Government, a bill for an act relating to standards for carbon monoxide protection and making penalties applicable.

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

Senate File 336, by committee on State Government, a bill for an act prohibiting employer control of employee political contributions.

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

Senate File 337, by committee on Commerce, a bill for an act providing for exceptions to the state child labor law.

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

STUDY BILLS RECEIVED

SSB 1183 Committee on Judiciary

Relating to judicial salaries.

SSB 1184 Ways and Means

Relating to the procedure for disposal of city utilities by sale.

SSB 1185 Ways and Means

Exempting from the individual income tax wages of individuals received for providing services to persons with physical or mental impairments, and including applicability provisions.

SSB 1186 Ways and Means

Providing an exemption from the computation of the individual income tax of certain amounts of retirement income and including retroactive applicability provisions.

SSB 1187 Ways and Means

Excluding from the computation of net income for state individual income tax purposes the net capital gain from sales or exchanges of assets, and including retroactive applicability provisions.

SSB 1188 Ways and Means

Relating to the imposition of the sales and use tax by modifying the definition of agricultural production.

SUBCOMMITTEE ASSIGNMENTS**Senate File 292**

HUMAN RESOURCES: Greene, Chair; Edler and Jochum

Senate File 308

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Sweeney

Senate File 310

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

Senate File 314

WAYS AND MEANS: Feenstra, Chair; Brown and Jochum

SSB 1183

JUDICIARY: Dawson, Chair; Garrett and Hogg

SSB 1184

WAYS AND MEANS: Feenstra, Chair; Quirmbach and Schultz

SSB 1185

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Edler

SSB 1186

WAYS AND MEANS: Feenstra, Chair; Bolkcom and R. Smith

SSB 1187

WAYS AND MEANS: Feenstra, Chair; J. Smith and Sweeney

SSB 1188

WAYS AND MEANS: Feenstra, Chair; Brown and J. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 279, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, making appropriations, including penalties, and providing implementation and effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Zumbach, Sweeney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: SENATE FILE 320 (SSB 1096), a bill for an act relating to permissible interest rates and charges for certain loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 321 (SSB 1156), a bill for an act relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 322 (SSB 1083), a bill for an act relating to the enhance Iowa board and moneys allocated by the board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 330 (SSB 1044), a bill for an act relating to the division of domestic stock insurers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Miller-Meeks.

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 330, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 331 (SSB 1151), a bill for an act relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Nunn, Sinclair, and R. Smith. Nays, 6: Lykam, Bisignano, Bolkcom, Mathis, Petersen, and Quirmbach. Absent, 1: Miller-Meeks.

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 331, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 337 (SSB 1085), a bill for an act providing for exceptions to the state child labor law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Miller-Meeks.

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 337, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 319 (formerly SF 207), a bill for an act relating to peace officers and retired peace officers who provide street or highway driving instruction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, 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 Education Committee on Senate File 319, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 327 (SSB 1013), a bill for an act relating to the calculation of certain court costs in probate matters, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 328 (SSB 1070), a bill for an act relating to the civil commitment of sexually violent predators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 329 (SSB 1016), a bill for an act relating to expert witness testimony in child sexual abuse and child endangerment cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 333 (SSB 1140), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 334 (SSB 1131), a bill for an act relating to public assistance program oversight.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Schultz, Whiting, Brown, Carlin, Guth, Koelker, and Nunn. Nays, 4: T. Taylor, Bisignano, Dotzler, and R. Taylor. Absent, none.

Fiscal Note: 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 334, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 93, a bill for an act relating to abandoned structures and abatement of public nuisances.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3010.

Final Vote: Yeas, 11: Edler, Greene, J. Smith, Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE JOINT RESOLUTION 17 (SSB 1115). 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: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Miller-Meeks.

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 Joint Resolution 17, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 323 (SSB 1118). a bill for an act relating to canned cocktails and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Johnson, Bisignano, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, 1: Celsi. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 335 (formerly SF 67). a bill for an act relating to standards for carbon monoxide protection and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Miller-Meeks.

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 335, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 336 (formerly SF 53), a bill for an act prohibiting employer control of employee political contributions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Miller-Meeks.

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 336, and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: SENATE FILE 64, a bill for an act relating to the creation of a green alert program for missing veterans-at-risk.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Dawson, R. Taylor, Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan. Nays, none. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

| | | | |
|--------|------|-----|------------------|
| S-3008 | S.F. | 203 | Nate Boulton |
| S-3009 | S.F. | 265 | Dan Zumbach |
| S-3010 | S.F. | 93 | Local Government |

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

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

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Trevor Pinegar of the Federated Church of Bondurant in Bondurant, Iowa. He was the guest of Senator Nunn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Birdwell.

The Journal of Wednesday, February 20, 2019, was approved.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 279 and 321** were referred from the Regular Calendar to the committee on **Ways and Means** 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 February 20, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 223, a bill for an act relating to reimbursement of witness mileage expenses.

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

House File 262, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

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

House File 264, a bill for an act relating to the division of domestic stock insurers.

Read first time and attached to **companion Senate File 330**.

House File 266, a bill for an act relating to the civil commitment of sexually violent predators.

Read first time and attached to **companion Senate File 328**.

House File 291, a bill for an act relating to the community spouse resource allowance under the Medicaid program.

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

House File 292, a bill for an act relating to the frequency of the reporting of the annual analysis and findings relative to Medicaid managed care member appeals.

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

House File 323, a bill for an act relating to the exploitation of a dependent adult by a caretaker.

Read first time and attached to **companion Senate File 153**.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Chris Kramer, the Governor's appointee to be the Director of the Department of Cultural Affairs. She was the guest of Senators Jochum and R. Smith and the committee on State Government.

The Secretary of the Senate introduced Debi Durham, the Governor's appointee to be the Executive Director of the Iowa Finance Authority. She was the guest of Senators Jochum and R. Smith and the committee on Commerce.

The Secretary of the Senate introduced Matt Strawn, the Governor's appointee to be the CEO of the Iowa Lottery Authority. He was the guest of Senators Jochum and R. Smith and the committee on State Government.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:10 a.m. until 1:00 p.m., Monday, February 25, 2019.

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 EDUCATION

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received on February 21, 2019.

CERTIFICATES OF RECOGNITION

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

Staci Ackerson, Charles City—For receiving the Neal Smith Entrepreneur of the Year Award from the Iowa Small Business Development Center. Senator Brown.

Kim Magdefrau, Van Horne—Upon his retirement and for his service to the community. Senator Kapucian.

Sara Winkleman of S & B Farmstead Distillery, Bancroft—For receiving the 2019 Deb Dalziel Woman Entrepreneurial Award from the Iowa Small Business Development Center. Senator Guth.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, February 6, 2019, 1:10 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: None.

Committee Business: Subcommittee assignments.

Adjourned: 1:15 p.m.

ALSO:

Convened: Tuesday, February 12, 2019, 2:00 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: None.

Committee Business: SSB 1111 was approved, as amended, 13-0. SF 170 was approved, 13-0.

Adjourned: 2:40 p.m.

ALSO:

Convened: Wednesday, February 20, 2019, 1:00 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: Kinney, Ranking Member (excused).

Committee Business: SF 279.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: Wednesday, February 20, 2019, 2:05 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Kinney, Ranking Member (excused).

Committee Business: SJR 10; SSB 1138, SSB 1004, SSB 1074, SF 212, SSB 1107, and SSB 1075.

Adjourned: 3:50 p.m.

STATE GOVERNMENT

Convened: Thursday, February 21, 2019, 2:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Miller-Meeks (excused).

Committee Business: SSB 1153, SSB 1141, and SSB 1068.

Adjourned: 2:55 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 21, 2019, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 21, 2019, 10:05 a.m.

Members Present: Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 21, 2019, 10:00 a.m.

Members Present: Johnson, Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: R. Smith, Vice Chair (excused).

Committee Business: Presentations by Department of Public Safety and Department of Human Services.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 18, 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 338, by committee on Judiciary, a bill for an act relating to the transfer of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center.

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

Senate File 339, by committee on Judiciary, a bill for an act relating to state employee defense and indemnification from certain claims and actions.

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

Senate File 340, by committee on Veterans Affairs, a bill for an act relating to the notification of a county commission of veteran affairs of the incarceration of a veteran at a jail or municipal holding facility.

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

Senate File 341, by committee on Veterans Affairs, a bill for an act relating to assistance animals and service animals in housing, service animals and service-animals-in-training in public accommodations, and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions.

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

Senate File 342, by committee on Judiciary, a bill for an act providing limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

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

Senate File 343, 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 344, by committee on Judiciary, a bill for an act relating to excuse from jury service for persons at least seventy-two years of age.

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

Senate File 345, by committee on Judiciary, a bill for an act relating to the payment of required medical aid provided to prisoners of county jails.

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

Senate File 346, by committee on Judiciary, a bill for an act creating the criminal offense of female genital mutilation and providing penalties.

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

Senate File 347, by Miller-Meeks, a bill for an act relating to pharmacy benefit managers and health carriers and management of prescription drug benefits, and including applicability provisions.

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

Senate File 348, by Miller-Meeks, a bill for an act relating to the prescribing and dispensing of self-administered hormonal contraceptives.

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

Senate File 349, by Boulton, Bisignano, Hogg, Dotzler, Bolkcom, T. Taylor, Jochum, J. Smith, Quirmbach, Wahls, Mathis, Ragan, R. Taylor, Kinney, Celsi, Petersen, and Lykam, a bill for an act relating to workers' compensation.

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

Senate File 350, 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**.

Senate File 351, by Schneider and Nunn, a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing penalties, and including effective date provisions.

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

Senate File 352, by Schneider, a bill for an act relating to alternative pathways and alternative practitioner preparation programs leading to initial teacher and administrator licenses and endorsements.

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

Senate File 353, by Schneider, a bill for an act requesting the establishment of an interim committee to study the feasibility of allowing a day of virtual instruction to count as a minimum school day when inclement weather causes schools to close.

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

Senate File 354, by Cournoyer, a bill for an act requesting the establishment of an interim study committee to consider school district and accredited nonpublic school use of online learning technology as a means to meet minimum school day or school hour requirements when inclement weather causes schools to close.

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

Senate File 355, by Cournoyer, a bill for an act relating to the midwest interstate passenger rail compact, and including effective date provisions.

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

Senate File 356, by Segebart, a bill for an act relating to the operation of vehicles transporting materials or equipment on highways to or from a construction project or commercial plant site.

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

Senate File 357, by Jochum, a bill for an act relating to child restraint systems in motor vehicles, and making penalties applicable.

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

Senate File 358, by Jochum, J. Smith, Wahls, Boulton, R. Taylor, Quirmbach, Petersen, Celsi, and T. Taylor, 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 359, by Jochum, a bill for an act relating to the credentialing and recredentialing of Medicaid providers by a single state-procured credentialing verification organization.

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

Senate File 360, by Costello, a bill for an act relating to the temporary delegation of parental authority by the parent, guardian, or legal custodian of a child.

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

Senate File 361, by Brown, Chapman, Zaun, and Edler, a bill for an act relating to the siting and operation of certain wind energy conversion facilities.

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

Senate File 362, by T. Taylor, a bill for an act relating to bidder qualifications with respect to county and city public contracts.

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

Senate File 363, by R. Smith, a bill for an act relating to theft and the intent to deprive a person of the possession or control of certain property.

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

Senate File 364, by committee on Judiciary, a bill for an act relating to the Iowa sobriety and drug monitoring program.

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

Senate File 365, by Jochum, a bill for an act relating to the child and dependent care credit and the early childhood development credit available against the individual income tax, and including effective date and retroactive applicability provisions.

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

STUDY BILLS RECEIVED

SSB 1189 Human Resources

Relating to tobacco cessation services under the Medicaid program.

SSB 1190 Education

Relating to the responsibilities and authority of school districts or school corporations, accredited nonpublic schools, or area education agencies.

SSB 1191 State Government

Authorizing savings promotion drawings under specified conditions, and making penalties applicable.

SSB 1192 State Government

Relating to computer software verification requirements for certain service contracts.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 7

AGRICULTURE: Zumbach, Chair; Kinney and Sweeney

Senate Joint Resolution 8 (Reassigned)

JUDICIARY: Chapman, Chair; Bisignano and Sweeney

Senate File 295

TRANSPORTATION: Brown, Chair; T. Taylor and Whiting

Senate File 296

JUDICIARY: Schultz, Chair; Chapman and Hogg

Senate File 297

EDUCATION: Behn, Chair; Celsi and Zaun

Senate File 298

EDUCATION: Lofgren, Chair; Sinclair and J. Smith

Senate File 300

LOCAL GOVERNMENT: Segebart, Chair; Guth and J. Smith

Senate File 301

LOCAL GOVERNMENT: Kraayenbrink, Chair; Segebart and J. Smith

Senate File 311

EDUCATION: Sinclair, Chair; Cournoyer and Wahls

Senate File 312

COMMERCE: Nunn, Chair; Lykam and Miller-Meeks

Senate File 313

COMMERCE: Dawson, Chair; Chapman and Petersen

Senate File 315

JUDICIARY: Chapman, Chair; Garrett and Kinney

Senate File 317

EDUCATION: Sinclair, Chair; Quirmbach and Sweeney

Senate File 318

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

Senate File 325

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

Senate File 332

TRANSPORTATION: Breitbach, Chair; Koelker and Lykam

SSB 1189

HUMAN RESOURCES: Miller-Meeks, Chair; Greene and Quirmbach

SSB 1190

EDUCATION: Sinclair, Chair; Behn and Quirmbach

SSB 1191

STATE GOVERNMENT: Cournoyer, Chair; Celsi and R. Smith

SSB 1192

STATE GOVERNMENT: Cournoyer, Chair; Johnson and T. Taylor

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: *SENATE JOINT RESOLUTION 18 (formerly SJR 10), 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: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 4: Bisignano, Hogg, Petersen, and R. Taylor. Absent, 1: Kinney.

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 18, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 338 (SSB 1056), a bill for an act relating to the transfer of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 339 (SSB 1068), a bill for an act relating to state employee defense and indemnification from certain claims and actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 342 (SSB 1107), a bill for an act providing limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 343 (SSB 1004), 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: Yeas, 9: Zaun, Chapman, Garrett, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, 5: Dawson, Bisignano, Hogg, Nunn, and Petersen. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 344 (SSB 1138), a bill for an act relating to excuse from jury service for persons at least seventy-two years of age.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 345 (SSB 1074), a bill for an act relating to the payment of required medical aid provided to prisoners of county jails.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, and Whiting. Nays, 5: Bisignano, Hogg, Petersen, Sweeney, and R. Taylor. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 346 (formerly SF 212), a bill for an act creating the criminal offense of female genital mutilation and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 364 (SSB 1055), a bill for an act relating to the Iowa sobriety and drug monitoring program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 364, and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: *SENATE FILE 340 (formerly SF 124), a bill for an act relating to the notification of a county commission of veteran affairs of the incarceration of a veteran at a jail or municipal holding facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Dawson, R. Taylor, Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan. Absent, 1: Miller-Meeks.

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 340, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 341 (formerly SF 63), a bill for an act relating to assistance animals and service animals in housing, service animals and service-animals-in-training in public accommodations, and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Dawson, R. Taylor, Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan. Absent, 1: Miller-Meeks.

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 341, and they were attached to the committee report.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 25, 2019

The Senate met in regular session at 1:05 p.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 Kate Hapgood.

The Journal of Thursday, February 21, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:09 p.m. until 9:00 a.m., Tuesday, February 26, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on February 22, 2019.

Recurrent Taxpayer Noncompliance Report, pursuant to Iowa Code section 421.60. Report received on February 22, 2019.

CERTIFICATES OF RECOGNITION

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

Peter Macias, Davenport—For celebrating his 100th birthday. Senator Lykam.

John “Andy” Moore, Fort Dodge— For celebrating his 100th birthday. Senator Kraayenbrink.

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by Behn, 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**.

INTRODUCTION OF BILLS

Senate File 366, by committee on State Government, a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

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

Senate File 367, by committee on State Government, a bill for an act eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

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

Senate File 368, by committee on State Government, a bill for an act relating to restrictions on lawful preexisting nonconforming uses by cities and counties.

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

Senate File 369, by committee on Judiciary, a bill for an act prohibiting the treatment 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 370, by Kapucian, a bill for an act relating to the use of certain pesticides, by providing for a fee increase, the establishment of a fund, and making appropriations.

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

Senate File 371, by Cournoyer, a bill for an act relating to probationary periods for school district administrators.

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

Senate File 372, by Behn, a bill for an act relating to 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 **Education**.

Senate File 373, by Zumbach, a bill for an act relating to bicycles being overtaken and passed by certain farm vehicles, and providing penalties.

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

Senate File 374, by Schultz, a bill for an act relating to taking coyotes while using an artificial source of light.

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

STUDY BILLS RECEIVED

SSB 1193 Ways and Means

Creating an empower rural Iowa Act to provide incentives for broadband and workforce housing, and including applicability provisions.

SSB 1194 Commerce

Relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

SSB 1195 Commerce

Related to installations of certain wireless telecommunications infrastructure in the state, and including effective date provisions.

SSB 1196 Commerce

Prohibiting the provision or use of false or misleading caller identification information to certain persons, and making penalties applicable.

SSB 1197 Human Resources

Relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

SSB 1198 Judiciary

Relating to officer-involved shootings and officer-involved critical incidents.

SSB 1199 Judiciary

Relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, providing for fees, and including effective date provisions.

SSB 1200 Commerce

Relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces.

SSB 1201 Commerce

Relating to electric utility rates and infrastructure support options for private generation customers.

SSB 1202 Commerce

Relating to timely submission of claims by health care providers to health insurers.

SSB 1203 Judiciary

Permitting qualified entities to request national criminal history checks of certain covered individuals.

SUBCOMMITTEE ASSIGNMENTS**Senate File 279**

WAYS AND MEANS: Brown, Chair; Behn and Wahls

Senate File 291

HUMAN RESOURCES: Greene, Chair; Johnson and Mathis

Senate File 299

AGRICULTURE: Shipley, Chair; Kinney and Zumbach

Senate File 321

WAYS AND MEANS: Chapman, Chair; Dotzler and Nunn

Senate File 349

COMMERCE: Breitbach, Chair; Bisignano and Chapman

Senate File 353

EDUCATION: Cournoyer, Chair; Lofgren and Wahls

Senate File 354

EDUCATION: Cournoyer, Chair; Lofgren and Wahls

Senate File 361

COMMERCE: Brown, Chair; Chapman and Quirmbach

Senate File 363

JUDICIARY: Sweeney, Chair; Kinney and Whiting

Senate File 365

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

Senate File 370

AGRICULTURE: Kapucian, Chair; Rozenboom and Wahls

House File 223

JUDICIARY: Schultz, Chair; R. Taylor and Whiting

House File 262

COMMERCE: Dawson, Chair; Johnson and Lykam

SSB 1173

(Reassigned)

COMMERCE: Koelker, Chair; Quirmbach and R. Smith

SSB 1193

WAYS AND MEANS: Feenstra, Chair; Jochum and Sweeney

SSB 1194

COMMERCE: Brown, Chair; Dawson and Quirmbach

SSB 1195

COMMERCE: Feenstra, Chair; Chapman and Mathis

SSB 1196

COMMERCE: Sinclair, Chair; Brown and Petersen

SSB 1197

HUMAN RESOURCES: Edler, Chair; Costello and Mathis

SSB 1198

JUDICIARY: Dawson, Chair; Kinney and Whiting

SSB 1199

JUDICIARY: Shipley, Chair; Hogg and Sinclair

SSB 1200

COMMERCE: Sinclair, Chair; Koelker and Petersen

SSB 1201

COMMERCE: Breitbach, Chair; Bisignano and Chapman

SSB 1202

COMMERCE: Chapman, Chair; Mathis and R. Smith

SSB 1203

JUDICIARY: Garrett, Chair; Dawson and Kinney

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: *SENATE FILE 369 (SSB 1075), a bill for an act prohibiting the treatment 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: Yeas, 11: Zaun, Dawson, Bisignano, Chapman, Hogg, Nunn, Petersen, Schultz, Sinclair, R. Taylor, and Whiting. Nays, 2: Garrett and Shipley. Present, 1: Sweeney. Absent, 1: Kinney.

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 369, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 366 (SSB 1168), a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: R. Smith, Johnson, Cournoyer, Dawson, Feenstra, Schultz, Whiting, and Zaun. Nays, 6: Bisignano, Celsi, Chapman, Jochum, Lykam, and T. Taylor. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 367 (SSB 1153), a bill for an act eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 368 (SSB 1141), a bill for an act relating to restrictions on lawful preexisting nonconforming uses by cities and counties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: R. Smith, Johnson, Chapman, Cournoyer, Dawson, Feenstra, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, 3: Bisignano, Celsi, and Jochum. Absent, 1: Miller-Meeks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 18, 2019, when the votes were taken on Senate Files 113, 139, 220, and 230; and House Concurrent Resolution 9. Had I been present, I would have voted yea on all.

ALSO: I was necessarily absent from the Senate chamber on February 20, 2019, when the votes were taken on Senate Files 86, 198, 203, 229, 265, 267. Had I been present, I would have voted yea on all.

Mariannette Miller-Meeks

JOURNAL OF THE SENATE

FORTY-FORTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 26, 2019

The Senate met in regular session at 9:01 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 Piper LaGrange.

The Journal of Monday, February 25, 2019, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 366** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:17 a.m. until 9:00 a.m., Wednesday, February 27, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 26, 2019, 1:05 p.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Breitbach, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith.

Members Absent: Feenstra (excused).

Committee Business: SSB 1175 passed with a voice vote. SSB 1176 passed with a voice vote. SSB 1152 passed with a voice vote with the following nays recorded: Senators Bolkcom, Bisignano, Petersen, and Quirmbach. SSB 1161, as amended, passed with a voice vote.

Adjourned: 1:30 p.m.

EDUCATION

Convened: Monday, January 28, 2019, 2:30 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: Voted on SSBs 1029, 1032, and 1033.

Adjourned: 3:00 p.m.

ALSO:

Convened: Wednesday, January 30, 2019, 2:00 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun.

Members Absent: J. Smith (excused).

Committee Business: SSBs 1030, 1031, and 1042.

Adjourned: 2:40 p.m.

ALSO:

Convened: Monday, February 4, 2019, 3:05 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: SCR 1, SF 74, SF 120, and SSB 1034.

Adjourned: 4:05 p.m.

ALSO:

Convened: Wednesday, February 6, 2019, 3:05 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, and Wahls.

Members Absent: Danielson and Zaun (both excused).

Committee Business: SSB 1043 and SF 172.

Adjourned: 3:40 p.m.

ALSO:

Convened: Monday, February 11, 2019, 3:20 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: SSBs 1051 and 1052.

Adjourned: 3:40 p.m.

ALSO:

Convened: Wednesday, February 13, 2019, 3:10 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: SSB 1099.

Adjourned: 3:55 p.m.

ALSO:

Convened: Monday, February 18, 2019, 4:05 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: OER Presentation. SFs 206 and 207.

Adjourned: 4:55 p.m.

JUDICIARY

Convened: Monday, February 25, 2019, 3:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, and R. Taylor.

Members Absent: Hogg, Sweeney, and Whiting (all excused).

Committee Business: SSB 1106, as amended; SSB 1069; SF 258, as amended; SF 285; SSB 1159; and SSB 1012.

Adjourned: 3:25 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, February 4, 2019, 3:00 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: Bisignano (excused).

Committee Business: Distributed subcommittee assignments.

Adjourned: 3:05 p.m.

ALSO:

Convened: Monday, February 11, 2019, 3:15 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, and Koelker.

Members Absent: Nunn and R. Taylor (both excused).

Committee Business: Organizational meeting.

Adjourned: 3:20 p.m.

ALSO:

Convened: Monday, February 18, 2019, 4:05 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 4:55 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 26, 2019, 2:00 p.m.

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

Members Absent: Hogg, Ranking Member (excused).

Committee Business: Passed SSB 1119, as amended. Approved governor appointment, Lisa Gochenour, as a member of Environmental Protection Commission.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: Tuesday, February 26, 2019, 3:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: Governor's appointees. SSB 1076, SF 36, and SSB 1082.

Adjourned: 4:10 p.m.

VETERANS AFFAIRS

Convened: Tuesday, January 15, 2019, 2:40 p.m.

Members Present: Dawson, Chair; Miller-Meeks, Vice Chair; R. Taylor, Ranking Member; Carlin, Costello, Dotzler, Edler, Koelker, Lofgren, and Ragan.

Members Absent: Danielson (excused).

Committee Business: Organizational meeting.

Adjourned: 2:55 p.m.

ALSO:

Convened: Tuesday, January 22, 2019, 2:00 p.m.

Members Present: Dawson, Chair; Miller-Meeks, Vice Chair; R. Taylor, Ranking Member; Carlin, Costello, Danielson, Edler, Koelker, Lofgren, and Ragan.

Members Absent: Dotzler (excused).

Committee Business: Approval of rules.

Adjourned: 2:05 p.m.

ALSO:

Convened: Tuesday, January 29, 2019, 2:00 p.m.

Members Present: Dawson, Chair; Miller-Meeks, Vice Chair; R. Taylor, Ranking Member; Carlin, Costello, Danielson, Dotzler, Edler, Koelker, Lofgren, and Ragan.

Members Absent: None.

Committee Business: Approved minutes. Presentation by Iowa Veterans Home Commandant Timon Oujiri.

Adjourned: 2:35 p.m.

ALSO:

Convened: Tuesday, February 5, 2019, 3:00 p.m.

Members Present: Dawson, Chair; Miller-Meeks, Vice Chair; R. Taylor, Ranking Member; Carlin, Costello, Danielson, Dotzler, Edler, Koelker, Lofgren, and Ragan.

Members Absent: None.

Committee Business: Approved minutes. Read in subcommittees.

Adjourned: 3:05 p.m.

ALSO:

Convened: Tuesday, February 19, 2019, 2:10 p.m.

Members Present: Dawson, Chair; R. Taylor, Ranking Member; Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan.

Members Absent: Miller-Meeks, Vice Chair (excused).

Committee Business: SFs 64, 124, and 63.

Adjourned: 2:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 26, 2019, 10:00 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; and Miller-Meeks.

Members Absent: Ragan, Ranking Member; and Bolkcom (both excused).

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 26, 2019, 10:05 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: None.

Committee Business: Presentation Lewis and Clark Regional Water System and Iowa Public Radio.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILLS

Senate File 375, by committee on Judiciary, a bill for an act concerning jurors, relating to access to certain department of revenue taxpayer information for jury list compilation and juror information confidentiality.

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

Senate File 376, by committee on Education, a bill for an act relating to the health education requirement for grades nine through twelve under the education standards.

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

Senate File 377, by committee on Judiciary, 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 **placed on calendar**.

Senate File 378, by committee on Judiciary, a bill for an act relating to the possession of marijuana, and providing penalties.

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

Senate File 379, by committee on Judiciary, a bill for an act relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa.

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

Senate File 380, by R. Smith, a bill for an act relating to sexual exploitation by a youth athletics coach and providing penalties.

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

Senate File 381, by Nunn, a bill for an act establishing a criminal penalty for violent repeat offenders and providing for risk assessments.

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

Senate File 382, by Nunn, a bill for an act relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring.

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

Senate File 383, by Schneider, a bill for an act relating to the disposition of inherited or gifted property in dissolution of marriage proceedings.

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

Senate File 384, by Boulton, a bill for an act relating to fences on property acquired from railroads.

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

Senate File 385, by Chapman, a bill for an act relating to maintenance of septic systems using peat or cocopeat biofilters.

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

Senate File 386, by Bolkcom, a bill for an act prohibiting the manufacturing and sale of food packaging containing perfluoroalkyl and polyfluoroalkyl substances, including effective date provisions, and making penalties applicable.

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

Senate File 387, by Schultz, Johnson, Segebart, and Greene, a bill for an act relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals.

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

Senate File 388, by Carlin, a bill for an act relating to the Iowa patriots memorial highway, and including applicability provisions.

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

Senate File 389, by Chapman, a bill for an act relating to the operation of motor vehicles in the left-most lane of certain roadways, and making penalties applicable.

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

Senate File 390, by Mathis and Zumbach, a bill for an act prohibiting public employers from seeking the criminal record or criminal history from applicants for employment under certain circumstances, establishing a criminal history employment application task force, providing penalties, and including effective date provisions.

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

Senate File 391, by Whiting, a bill for an act providing for decennial review of administrative rules by the general assembly and related procedures, and including effective date provisions.

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

Senate File 392, by committee on Judiciary, a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody, and providing penalties.

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

Senate File 393, by committee on Judiciary, a bill for an act providing for criminal offenses related to beekeeping.

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

Senate File 394, by committee on Education, a bill for an act relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program.

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

STUDY BILLS RECEIVED

SSB 1204 Labor and Business Relations

Relating to the treatment of adoptive parent employees and making penalties applicable.

SSB 1205 Commerce

Relating to the definition of personal injuries arising out of and in the course of the employment for the purposes of compensable acts for workers' compensation.

SSB 1206 Commerce

Relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction.

SSB 1207 Commerce

Relating to requirements for domestic surplus lines insurers.

SSB 1208 Transportation

Relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

SSB 1209 Human Resources

Relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings.

SSB 1210 Human Services

Relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services.

SSB 1211 Human Resources

Relating to the application fee and annual fee imposed for nonassistance child support cases.

SSB 1212 State Government

Relating to the power of cities to regulate certain building restrictions.

SSB 1213 State Government

Relating to alternative project delivery contract methods for government entities.

SSB 1214 Education

To establish a fine arts program interim study committee.

SSB 1215 Judiciary

Proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

SSB 1216 Commerce

Concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages.

SUBCOMMITTEE ASSIGNMENTS

Senate File 289

STATE GOVERNMENT: Chapman, Chair; Celsi and Whiting

Senate File 290

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Behn and Boulton

Senate File 294

APPROPRIATIONS: Breitbach, Chair; Bolkcom and Kraayenbrink

Senate File 309

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and T. Taylor

Senate File 324

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Carlin

Senate File 326

STATE GOVERNMENT: Feenstra, Chair; R. Smith and T. Taylor

Senate File 347

HUMAN RESOURCES: Miller-Meeks, Chair; Greene and Mathis

Senate File 348

HUMAN RESOURCES: Miller-Meeks, Chair; Greene and Jochum

Senate File 350

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and R. Taylor

Senate File 351

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

Senate File 352

EDUCATION: Rozenboom, Chair; Quirnbach and Sweeney

Senate File 355

TRANSPORTATION: Brown, Chair; Cournoyer and T. Taylor

Senate File 356

TRANSPORTATION: Breitbach, Chair; Shipley and Wahls

Senate File 357

TRANSPORTATION: Zumbach, Chair; Breitbach and J. Smith

Senate File 358

HUMAN RESOURCES: Costello, Chair; Carlin and Jochum

Senate File 359

HUMAN RESOURCES: Costello, Chair; Jochum and Johnson

Senate File 360

HUMAN RESOURCES: Garrett, Chair; Costello and Quirmbach

Senate File 361
(Reassigned)

COMMERCE: Brown, Chair; Chapman and Lykam

Senate File 362

LOCAL GOVERNMENT: Edler, Chair; Boulton and Greene

Senate File 363
(Reassigned)

JUDICIARY: Dawson, Chair; Kinney and Whiting

Senate File 366

WAYS AND MEANS: R. Smith, Chair; Dawson and Jochum

Senate File 371

EDUCATION: Cournoyer, Chair; Celsi and Johnson

Senate File 372

EDUCATION: Behn, Chair; Celsi and Zaun

Senate File 373

TRANSPORTATION: Zumbach, Chair; J. Smith and Whiting

Senate File 374

NATURAL RESOURCES AND ENVIRONMENT: Segebart, Chair; Boulton and Cournoyer

House File 291

HUMAN RESOURCES: Segebart, Chair; Garrett and Ragan

House File 292

HUMAN RESOURCES: Miller-Meeks, Chair; Costello and Ragan

SSB 1022

(Reassigned)

VETERANS AFFAIRS: Koelker, Chair; Carlin and Ragan

SSB 1204

LABOR AND BUSINESS RELATIONS: Koelker, Chair; Dotzler and Guth

SSB 1205

COMMERCE: Breitbach, Chair; Bisignano and Chapman

SSB 1206

COMMERCE: Johnson, Chair; Bolkcom and Koelker

SSB 1207

COMMERCE: Johnson, Chair; Petersen and Sinclair

SSB 1208

TRANSPORTATION: Kapucian, Chair; Breitbach and T. Taylor

SSB 1209

HUMAN RESOURCES: Segebart, Chair; Garrett and Ragan

SSB 1210

HUMAN RESOURCES: Edler, Chair; Greene and Jochum

SSB 1211

HUMAN RESOURCES: Johnson, Chair; Bolkcom and Costello

SSB 1212

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

SSB 1213

STATE GOVERNMENT: R. Smith, Chair; Chapman and T. Taylor

SSB 1214

EDUCATION: Sinclair, Chair; Cournoyer and Quirmbach

SSB 1215

JUDICIARY: Chapman, Chair; Bisignano and Sweeney

SSB 1216

COMMERCE: Chapman, Chair; Lykam and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: *SENATE FILE 376 (formerly SF 270), a bill for an act relating to the health education requirement for grades nine through twelve under the education standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Wahls, and Zaun. Nays, none. Absent, 1: Sweeney.

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 376, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 394 (SSB 1165), a bill for an act relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Wahls, and Zaun. Nays, none. Absent, 1: Sweeney.

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 394, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 375 (SSB 1159), a bill for an act concerning jurors, relating to access to certain department of revenue taxpayer information for jury list compilation and juror information confidentiality.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, and Sinclair. Nays, 1: R. Taylor. Absent, 3: Hogg, Sweeney, and Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 377 (SSB 1106), a bill for an act extending immunity from tort liability to certain nonprofit corporations providing emergency response services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, and R. Taylor. Nays, none. Absent, 3: Hogg, Sweeney, and Whiting.

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 377, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 378 (SSB 1012), a bill for an act relating to the possession of marijuana, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, and R. Taylor. Nays, none. Absent, 3: Hogg, Sweeney, and Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 379 (SSB 1069), a bill for an act relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, and R. Taylor. Nays, none. Absent, 3: Hogg, Sweeney, and Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 392 (formerly SF 258), a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, and R. Taylor. Nays, none. Absent, 3: Hogg, Sweeney, and Whiting.

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 392, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 393 (formerly SF 285), a bill for an act providing for criminal offenses related to beekeeping.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, and R. Taylor. Nays, none. Absent, 3: Hogg, Sweeney, and Whiting.

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 393, and they were attached to the committee report.

APPOINTMENT TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 26, 2019, to investigate the appointment and reappointment of the following appointees:

TRANSPORTATION (Reassigned)

As Commissioner of Public Safety:

Stephan Bayens – Breitbach, Chair; Kapucian and T. Taylor

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

Lisa Gochenour – Environmental Protection Commission

STATE GOVERNMENT

Rosalind Peebles Fox – Commission on the Status of African Americans

Chris Kramer – Director of the Department of Cultural Affairs

Paul Herold – Engineering and Land Surveying Examining Board

Katherine Stavneak – Interior Design Examining 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:

STATE GOVERNMENT

Matt Strawn – Chief Executive Officer of the Iowa Lottery Authority

COMMITTEE CHANGE

Senator Petersen announced that Senator Wahls is replacing Senator Jochum on the Transportation Committee.

REPORT OF THE SECRETARY OF THE SENATE

February 26, 2019

Members of the Senate Ethics Committee
Via Email

Re: Report of Personal Financial Disclosure Forms

Dear Senate Ethics Committee Members:

Pursuant to Iowa Code section 68B.35 and Rule 11 of the Senate Code of Ethics, Senators and certain Senate employees are required to file Personal Financial Disclosure Statements. Rule 11 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. The filing period was to commence on February 13, 2019, and end on February 25, 2019 (the 10 day filing period ended on a weekend and was thus extended to the next working day).
2. By 5:00 p.m. on February 25, 2019, all current 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

Former Senator Jeff Danielson resigned on the second day of the filing period and was no longer required to submit a form.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 27, 2019

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

Prayer was offered by Pastor Rick Admiraal of the New Life Prison Church in Newton, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Meis.

The Journal of Tuesday, February 26, 2019, was approved.

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 26, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 310, a bill for an act relating to the practice of optometry.

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

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:06 a.m. until 9:00 a.m., Thursday, February 28, 2019.

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

Electric Vehicle Infrastructure Support Report, pursuant to 2018 Iowa Acts, SF 2311, Chapter 1135. Report received on February 27, 2019.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, February 27, 2019, 2:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting.

Members Absent: Hogg and R. Taylor (both excused).

Committee Business: SF 254, SSB 1018, SSB 1091, SSB 1062, SSB 1067 and governor nominees.

Adjourned: 2:55 p.m.

LOCAL GOVERNMENT

Convened: Tuesday, February 26, 2019, 3:00 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Kraayenbrink, Lofgren, Quirmbach, and Segebart.

Members Absent: Hogg (excused).

Committee Business: Organizational meeting.

Adjourned: 3:40 p.m.

TRANSPORTATION

Convened: Wednesday, February 27, 2019, 3:05 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; T. Taylor, Ranking Member; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach.

Members Absent: None.

Committee Business: SSBs 1025, 1090, 1148, 1179, and 1180.

Adjourned: 3:50 p.m.

INTRODUCTION OF BILLS

Senate File 395, by Ragan, a bill for an act relating to substance use disorder services and reimbursement, and including effective date provisions.

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

Senate File 396, by Dotzler, a bill for an act appropriating moneys to the enhance Iowa fund.

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

Senate File 397, by Dotzler, a bill for an act regulating the application of certain pesticides in proximity to a child care facility or school, and making penalties applicable.

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

Senate File 398, by Dotzler, a bill for an act relating to the possession of glass beverage containers on inland waters of the state, and making penalties applicable.

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

Senate File 399, by Costello, a bill for an act relating to telepharmacy licensing requirements.

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

Senate File 400, by Schneider, a bill for an act relating to disclosures of certain information, including reprisals with respect to employees of a political subdivision of the state and providing information to employees concerning the office of ombudsman.

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

Senate File 401, by committee on Commerce, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

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

Senate File 402, by committee on Commerce, a bill for an act providing for the good-faith submission of information, records, applications, and documents to the credit union division.

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

Senate File 403, by committee on Commerce, a bill for an act relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

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

Senate File 404, by Carlin, a bill for an act providing for the regulation of certain food products by using the term meat.

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

Senate File 405, by Dawson, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions.

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

Senate File 406, by Carlin, a bill for an act relating to nonresident alien public offense data collection and analysis.

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

Senate File 407, by Celsi and Wahls, a bill for an act relating to restrictions on the criminal defenses of provocation, diminished capacity, and self-defense.

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

Senate File 408, by Bolkcom, T. Taylor, Lykam, Wahls, Dotzler, Kinney, Celsi, J. Smith, Boulton, Jochum, Mathis, Ragan, Petersen, and Quirmbach, a bill for an act relating to the medical cannabidiol Act.

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

Senate File 409, by committee on Natural Resources and Environment, a bill for an act relating to administrative procedures within the department of natural resources.

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

STUDY BILL RECEIVED

SSB 1217 Agriculture

Relating to weight limitations for certain implements of husbandry.

SUBCOMMITTEE ASSIGNMENTS

Senate File 296 (Reassigned)

JUDICIARY: Schultz, Chair; Bisignano, Chapman, Garrett, and Hogg

Senate File 381

JUDICIARY: Nunn, Chair; Hogg and Sweeney

Senate File 382

JUDICIARY: Nunn, Chair; Hogg and Sweeney

Senate File 383

JUDICIARY: Garrett, Chair; Hogg and Zaun

Senate File 385

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Boulton and Shipley

Senate File 388

TRANSPORTATION: Zumbach, Chair; Koelker and J. Smith

Senate File 389

TRANSPORTATION: Koelker, Chair; Brown and Kinney

Senate File 398

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Celsi and Cournoyer

Senate File 405

JUDICIARY: Dawson, Chair; Kinney and Zaun

SSB 1217

AGRICULTURE: Zumbach, Chair; Kapucian and Kinney

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE CONCURRENT RESOLUTION 7, a concurrent resolution recognizing the importance of multilateral trade agreements to Iowa's economy and urging Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, and Wahls. Nays, none. Absent, 1: R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: SENATE FILE 401 (SSB 1152), a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Chapman, Koelker, Lykam, Breitbach, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 4: Bisignano, Bolkcom, Petersen, and Quirmbach. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 402 (SSB 1176), a bill for an act providing for the good-faith submission of information, records, applications, and documents to the credit union division.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 403 (SSB 1175), a bill for an act relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 409 (SSB 1119), a bill for an act relating to administrative procedures within the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Rozenboom, Shipley, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, 1: Hogg.

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 409, 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:

JUDICIARY

Dale Woolery – Drug Policy Coordinator

Kathleen Law – State Judicial Nominating Commission

Tiffany Creekmur – Iowa Law Enforcement Academy Council

AMENDMENT FILED

S–3011 S.F. 376 Jeff Edler

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 28, 2019

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by Pastor Scott Surovec of the Grinnell Christian Church in Grinnell, Iowa. He was the guest of Senator Kapucian.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ami Penquite.

The Journal of Wednesday, February 27, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:07 a.m. until 1:00 p.m., Monday, March 4, 2019.

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 February 28, 2019.

CERTIFICATE OF RECOGNITION

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

Jim Stahle, Solon—Upon his retirement from the Solon American Legion Stinocher Post #460 Color Guard of 65 years. Senator Wahls.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, February 28, 2019, 2:00 p.m.

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

Members Absent: Kraayenbrink, Vice Chair (excused).

Committee Business: SJR 2 and SF 225.

Adjourned: 2:45 p.m.

EDUCATION

Convened: Wednesday, February 27, 2019, 4:00 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: SSB 1190, SF 298, SF 287, and SF 29.

Adjourned: 5:00 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 27, 2019, 4:00 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: T. Taylor, Ranking Member (excused).

Committee Business: Organizational meeting.

Adjourned: 4:40 p.m.

STATE GOVERNMENT

Convened: Thursday, February 28, 2019, 1:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: None.

Committee Business: SSBs 1116, 1160, and 1212.

Adjourned: 1:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 28, 2019, 10:05 a.m.

Members Present: Shipley, Chair; Rozenboom, Vice Chair; Kinney, and Sweeney.

Members Absent: Mathis, Ranking Member (excused).

Committee Business: Presentation by Bruce Trautman from the Department of Natural Resources.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 28, 2019, 10:00 a.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; and Boulton.

Members Absent: Dawson (excused).

Committee Business: Presentations by Marty Lenss, Eastern Iowa Airport; Bill Kyle, Northeast Iowa Regional Airport; Alan Graff, Des Moines International Airport; and Keith Kaspari, Waterloo Regional Airport. Presentation on ISU Veterinary Diagnostic Laboratory.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 19, 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**.

Senate Resolution 8, by Feenstra, a resolution for urging the United States Congress to reject the proposed Green New Deal.

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

INTRODUCTION OF BILLS

Senate File 410, by committee on State Government, a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and applicability provisions.

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

Senate File 411, by committee on Local Government, a bill for an act relating to assessors and the state appraisal manual of the department of revenue, and including penalties.

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

Senate File 412, by committee on Commerce, a bill for an act relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance, and making penalties applicable.

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

Senate File 413, 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 and including effective date provisions.

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

Senate File 414, by committee on Human Resources, a bill for an act relating to the provision of Medicaid coverage to pregnant women lawfully residing in the United States.

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

Senate File 415, by committee on Human Resources, a bill for an act relating to the suspension of Medicaid coverage for an inmate of a public institution.

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

Senate File 416, by committee on Judiciary, a bill for an act relating to reimbursement of witness mileage expenses.

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

Senate File 417, by Bolkcom, a bill for an act relating to alternative nicotine products and vapor products, and providing for taxation of such products.

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

Senate File 418, by Schneider, a bill for an act relating to the practice of barbering and cosmetology arts and sciences and providing transition provisions.

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

Senate File 419, by Quirmbach and Segebart, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements.

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

Senate File 420, by R. Smith, a bill for an act relating to processes and assistance under the Medicaid program.

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

Senate File 421, by Edler, a bill for an act providing for the reinstatement of parental rights of a former parent under certain circumstances.

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

Senate File 422, by Petersen, a bill for an act relating to health care coverage benefits for human papillomavirus vaccinations, and including applicability provisions.

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

Senate File 423, by Quirmbach, a bill for an act requiring the use of safety belts or safety harnesses by certain passengers of motor vehicles, and making penalties applicable.

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

Senate File 424, by committee on Judiciary, a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

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

Senate File 425, by committee on Judiciary, a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

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

Senate File 426, by committee on Judiciary, a bill for an act including personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable.

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

Senate File 427, by committee on Agriculture, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying reporting requirements regarding agricultural liming material, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

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

Senate File 428, by committee on Transportation, a bill for an act relating to distance requirements for electronically coordinated motor vehicles following in a sequence.

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

Senate File 429, by committee on Transportation, a bill for an act 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 430, by committee on Labor and Business Relations, a bill for an act relating to the supplemental nutrition assistance program and workfare.

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

Senate File 431, by Quirmbach, T. Taylor, Lykam, Wahls, Celsi, J. Smith, Boulton, Jochum, Petersen, and Bolkcom, a bill for an act providing time off from work to attend presidential precinct caucuses, making penalties applicable, and including effective date provisions.

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

Senate File 432, by Quirmbach, Dotzler, T. Taylor, Celsi, J. Smith, Jochum, Petersen, and Ragan, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and affirmative consent.

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

Senate File 433, by Quirmbach, T. Taylor, Lykam, Wahls, Dotzler, Kinney, Celsi, J. Smith, Jochum, Petersen, and Bolkcom, a bill for an act establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions and requiring exploration and action on opportunities to reduce education resources costs.

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

Senate File 434, by Edler, a bill for an act relating to community engagement activity requirements under the Iowa health and wellness plan.

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

Senate File 435, by committee on Transportation, a bill for an act relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions.

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

Senate File 436, by committee on Transportation, a bill for an act relating to wrecked or salvage motor vehicles.

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

Senate File 437, by committee on Education, a bill for an act relating to academic eligibility standards for public school students participating in school-approved activities.

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

Senate File 438, by committee on Education, a bill for an act relating to the responsibilities and authority of school districts or school corporations, accredited nonpublic schools, or area education agencies.

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

Senate File 439, by committee on Education, a bill for an act relating to the burden of proof in certain judicial proceedings involving school boards and rules adopted by the department of education.

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

Senate File 440, by Quirmbach, a bill for an act relating to the determination of school district enrollment for certain school districts following a disaster event and including effective date and applicability provisions.

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

Senate File 441, by Wahls, a bill for an act relating to kindergarten programs offered by school districts.

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

Senate File 442, by committee on Transportation, a bill for an act relating to authorized emergency vehicles, and making penalties applicable.

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

Senate File 443, by Costello, a bill for an act relating to the inclusion of occupational therapists as mental health professionals for the purposes of disclosure of mental health and psychological information.

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

STUDY BILLS RECEIVED

SSB 1218 Agriculture

Providing for license fees imposed upon vendors selling certain food at farmers markets.

SSB 1219 Natural Resources and Environment

Directing the department of natural resources to develop and offer for use a mobile application for purchasing and displaying licenses and tags for hunting and fishing.

SSB 1220 Judiciary

Concerning 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 1221 Natural Resources and Environment

Relating to the acquisition, donation, or sale of real property for specified purposes.

SSB 1222 Commerce

Relating to the membership of the life and health insurance guaranty association, assessments to member insurers for insurance written by impaired or insolvent member insurers, and including applicability provisions.

SSB 1223 Commerce

Modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions.

SSB 1224 Judiciary

Relating to the restoration of voting rights to certain convicted persons and including effective date provisions.

SSB 1225 Ways and Means

Relating to the applicability of beverage container control provisions, handling fees, and acceptance of beverage containers, making penalties applicable, and providing effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 380**

JUDICIARY: Whiting, Chair; Chapman and Kinney

Senate File 384

LOCAL GOVERNMENT: Edler, Chair; Boulton and Garrett

Senate File 386

COMMERCE: Chapman, Chair; Bolkcom and Feenstra

Senate File 387

HUMAN RESOURCES: Carlin, Chair; Jochum and Johnson

Senate File 395

HUMAN RESOURCES: Carlin, Chair; Costello and Ragan

Senate File 396

APPROPRIATIONS: Breitbach, Chair; Dotzler and Kraayenbrink

Senate File 397

AGRICULTURE: Zumbach, Chair; Kinney and Rozenboom

Senate File 399

STATE GOVERNMENT: Miller-Meeks, Chair; Celsi and Schultz

Senate File 400

LOCAL GOVERNMENT: Guth, Chair; Greene and Hogg

Senate File 404

AGRICULTURE: Zumbach, Chair; Kapucian and Kinney

Senate File 406

JUDICIARY: Whiting, Chair; Bisignano and Dawson

Senate File 407

JUDICIARY: Sinclair, Chair; Petersen and Schultz

Senate File 408

JUDICIARY: Sweeney, Chair; R. Taylor and Whiting

Senate File 417

WAYS AND MEANS: Feenstra, Chair; Quirmbach and R. Smith

Senate File 418

STATE GOVERNMENT: Miller-Meeks, Chair; Schultz and T. Taylor

SSB 1218

AGRICULTURE: Zumbach, Chair; Kinney and Rozenboom

SSB 1219

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Segebart

SSB 1220

JUDICIARY: Garrett, Chair; Hogg and Sinclair

SSB 1221

NATURAL RESOURCES AND ENVIRONMENT: Zumbach, Chair; Behn and Boulton

SSB 1222

COMMERCE: Nunn, Chair; Miller-Meeks and Petersen

SSB 1223

COMMERCE: Nunn, Chair; Quirmbach and Sinclair

SSB 1224

JUDICIARY: Dawson, Chair; Hogg and Shipley

SSB 1225

WAYS AND MEANS: Feenstra, Chair; Dawson and Dotzler

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE FILE 427 (SSB 1182), a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying reporting requirements regarding agricultural liming material, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, and Wahls. Nays, none. Absent, 1: R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *SENATE FILE 412 (SSB 1161), a bill for an act relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Feenstra.

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 412, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 437 (formerly SF 287), a bill for an act relating to academic eligibility standards for public school students participating in school-approved activities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, 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 Education Committee on Senate File 437, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 438 (SSB 1190), a bill for an act relating to the responsibilities and authority of school districts or school corporations, accredited nonpublic schools, or area education agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 5: Quirmbach, Celsi, Ragan, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 438, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 439 (formerly SF 298), a bill for an act relating to the burden of proof in certain judicial proceedings involving school boards and rules adopted by the department of education.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 5: Quirmbach, Celsi, Ragan, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 439, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 414 (formerly SF 251), a bill for an act relating to the provision of Medicaid coverage to pregnant women lawfully residing in the United States.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 415 (formerly SF 252), a bill for an act relating to the suspension of Medicaid coverage for an inmate of a public institution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 416 (SSB 1067), a bill for an act relating to reimbursement of witness mileage expenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 424 (SSB 1018), a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 424, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 425 (SSB 1091), a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 426 (SSB 1062), a bill for an act including personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 430 (SSB 1108), a bill for an act relating to the supplemental nutrition assistance program and workfare.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Schultz, Whiting, Brown, Carlin, Guth, and Nunn. Nays, 4: T. Taylor, Bisignano, Dotzler, and Koelker. Absent, 1: R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 411 (formerly SF 49), a bill for an act relating to assessors and the state appraisal manual of the department of revenue, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Edler, Garrett, Guth, Kraayenbrink, Lofgren, and Segebart. Nays, 4: Greene, J. Smith, Boulton, and Quirmbach. Absent, 1: Hogg.

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 411, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE JOINT RESOLUTION 19 (SSB 1082), 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: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Feenstra.

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 Joint Resolution 19, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 410 (formerly SF 36), a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Feenstra.

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 410, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 413 (SSB 1076), 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 and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Feenstra.

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 413, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 428 (SSB 1179), a bill for an act relating to distance requirements for electronically coordinated motor vehicles following in a sequence.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 429 (SSB 1025), a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 435 (SSB 1180), a bill for an act relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, 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 435, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 436 (SSB 1148), a bill for an act relating to wrecked or salvage motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, and Zumbach. Nays, 1: Whiting. 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 436, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 442 (SSB 1090), a bill for an act relating to authorized emergency vehicles, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, 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 442, 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 February 27, 2019:

I am withdrawing the name of Adam Humes to serve as Director of the Iowa Department of Revenue from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

BILLS ATTACHED

Senate File 416 was attached to **companion House File 223**.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 4, 2019

The Senate met in regular session at 1:03 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 Nathan Sells and Chloe Hays with Best Buddies.

The Journal of Thursday, February 28, 2019, was approved.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:05 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:06 p.m., President Schneider presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 5, a resolution for congratulating the Morningside College Mustangs football team on winning the National Association of Intercollegiate Athletics National Championship.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Behn.

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 5.

Senate Resolution 5

On motion of Senator Carlin, **Senate Resolution 5**, a resolution for congratulating the Morningside College Mustangs football team on winning the National Association of Intercollegiate Athletics National Championship, with report of committee recommending passage, was taken up for consideration.

Senator J. Smith moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Carlin introduced to the Senate chamber the Morningside College Mustangs accompanied by their coaches.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:22 p.m. until 9:00 a.m., Tuesday, March 5, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2. Report received on February 28, 2019.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Dramshop Liability Insurance Evaluation Report, pursuant to HF 2502, section 52. Report received on March 4, 2019.

DEPARTMENT OF EDUCATION

Special Education Federal Reports, pursuant to Iowa Code section 256B.3. Report received on March 4, 2019.

DEPARTMENT OF WORKFORCE DEVELOPMENT

Employment Security Administration Fund FY 2018 Report, pursuant to Iowa Code section 96.13. Report received on March 4, 2019.

Employment Security Administration Fund FY 2019 Report, pursuant to Iowa Code section 96.13. Report received on March 4, 2019.

Employment Security Administration Fund FY 2020 Report, pursuant to Iowa Code section 96.13. Report received on March 4, 2019.

Labor Services 2016 Report, pursuant to Iowa Code section 91.4. Report received on March 4, 2019.

Labor Services 2017 Report, pursuant to Iowa Code section 91.4. Report received on March 4, 2019.

Labor Services 2018 Report, pursuant to Iowa Code section 91.4. Report received on March 4, 2019.

Nursing Workforce Data Clearinghouse Report, pursuant to Iowa Code section 84A.11. Report received on March 4, 2019.

Occupational Safety and Health 2016 Report, pursuant to Iowa Code section 88.19. Report received on March 4, 2019.

Occupational Safety and Health 2017 Report, pursuant to Iowa Code section 88.19. Report received on March 4, 2019.

Occupational Safety and Health 2018 Report, pursuant to Iowa Code section 88.19. Report received on March 4, 2019.

Unemployment Compensation Trust Fund Report, pursuant to Iowa Code section 96.35. Report received on March 4, 2019.

Worker's Compensation 2016 Report, pursuant to Iowa Code section 86.9. Report received on March 4, 2019.

Worker's Compensation 2017 Report, pursuant to Iowa Code section 86.9. Report received on March 4, 2019.

Worker's Compensation 2018 Report, pursuant to Iowa Code section 86.9. Report received on March 4, 2019.

CERTIFICATE OF RECOGNITION

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

Mark Moody, Clear Creek Amana High School—For receiving the 2019 Iowa Secondary Principal of the Year Award by the Education Leadership Organization School Administrators of Iowa. Senator Wahls.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, March 4, 2019, 1:45 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: Governor appointment. SF 353, SSB 1163, SSB 1214, and SF 297.

Adjourned: 2:55 p.m.

JUDICIARY

Convened: Thursday, February 28, 2019, 3:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting.

Members Absent: Hogg and R. Taylor (both excused).

Committee Business: SF 213 with amendment; SF 151, with amendment; SF 288; SSB 1144, with amendment; SSB 1063; SSB 1147, with amendment; SSB 1053, with amendment; SSB 1008, with amendment. Governor appointee, Kathleen Law, recommended and placed on the En Bloc Confirmation calendar.

Adjourned: 4:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, March 4, 2019, 2:00 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:20 p.m.

RULES AND ADMINISTRATION

Convened: Monday, March 4, 2019, 1:05 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Bolcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Behn (excused).

Committee Business: SR 5.

Adjourned: 1:10 p.m.

TRANSPORTATION

Convened: Monday, March 4, 2019, 3:00 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; T. Taylor, Ranking Member; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach.

Members Absent: None.

Committee Business: SSB 1047, SSB 1208, SF 295, SF 388, and SF 389. Governor appointment.

Adjourned: 3:55 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 20, by committee on Appropriations, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the state budget by creating a state general fund expenditure limitation.

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

INTRODUCTION OF BILLS

Senate File 444, by committee on Agriculture, a bill for an act providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

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

Senate File 445, by committee on Education, a bill for an act relating to additional weighting for limited English proficient students and including effective date and applicability provisions.

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

Senate File 446, by committee on State Government, a bill for an act relating to political and campaign ethics, including the reporting of certain gifts and bequests received by the executive branch and attribution statements on published materials, and making penalties applicable.

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

Senate File 447, by committee on State Government, a bill for an act relating to the power of cities to regulate certain building restrictions.

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

Senate File 448, by committee on Judiciary, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders.

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

Senate File 449, 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 450, by Celsi, a bill for an act relating to energy efficiency plan filing requirements for certain public utilities, and including effective date provisions.

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

Senate File 451, by Celsi, a bill for an act relating to workers' compensation.

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

Senate File 452, by Celsi, a bill for an act prohibiting the possession, sale, and use of consumer fireworks, providing penalties, and including transition and effective date provisions.

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

Senate File 453, by Celsi, a bill for an act relating to third-party payment of coverage benefits for medical food, and including applicability provisions.

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

Senate File 454, by Celsi, Dotzler, J. Smith, Bisignano, T. Taylor, Lykam, Jochum, Bolkcom, and Boulton, a bill for an act relating to administrative operations space cost limitations applicable to a Medicaid managed care organization.

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

Senate File 455, by Celsi, a bill for an act relating to restitution for claims arising from state employees committing unfair or discriminatory employment practices, including personal liability insurance requirements.

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

Senate File 456, by Celsi, a bill for an act relating to registration and bonding requirements for contractors, and providing criminal and civil penalties.

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

Senate File 457, by committee on Appropriations, 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 Appropriations calendar**.

Senate File 458, by committee on Judiciary, a bill for an act relating to debts for which the homestead is liable by providing that the homestead may be sold to satisfy debts secured by a mechanic's lien, including principal, interest, attorney fees, and costs.

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

Senate File 459, by committee on Judiciary, a bill for an act relating to the carrying, transportation, or possession of firearms on real property comprising a person's place of employment.

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

Senate File 460, by committee on Judiciary, a bill for an act relating to the dissemination and exhibition of obscene material to a minor by the parent or guardian of the minor, and providing penalties.

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

Senate File 461, by committee on Judiciary, a bill for an act relating to home improvement fraud and providing penalties for contractors who commit home improvement fraud.

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

Senate File 462, by committee on Judiciary, a bill for an act relating to restrictions on bailable defendants charged with homicide by motor vehicle.

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

Senate File 463, by committee on Judiciary, a bill for an act relating to landlord remedies and procedures relating to failure to timely pay rent and forcible entry and detainer.

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

Senate File 464, by committee on Judiciary, a bill for an act relating to clerks of court, including the number of counties in which a clerk may serve and residency requirements.

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

Senate File 465, by Quirmbach, a bill for an act relating to the awarding of contracts for public improvement projects.

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

Senate File 466, by Quirmbach, a bill for an act relating to firearms, including provisions relating to the purchase, sale, or transfer of firearms and requiring an educational program relating to hunting, and providing penalties.

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

Senate File 467, by Brown, a bill for an act relating to requiring hospitals to provide umbilical cord testing for the presence of an illegal drug or alcohol in a newborn child's body and child in need of assistance proceedings.

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

Senate File 468, by Brown, a bill for an act relating to an administrative services organization delivery model for the Medicaid program, and including effective date provisions.

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

Senate File 469, by Bolkcom, a bill for an act relating to marijuana, including the manufacture, delivery, and possession of marijuana and the licensure of retail marijuana, providing fees, including excise taxes, establishing a trust fund, and including penalties.

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

STUDY BILLS RECEIVED**SSB 1226 Labor and Business Relations**

Relating to public safety employees and collective bargaining units for purposes of public employee collective bargaining and including effective date and applicability provisions.

SSB 1227 Agriculture

Relating to an offense involving trespass to agricultural production facilities, and providing penalties.

SSB 1228 State Government

Relating to the protection of certain patient information and data under the purview of the department of public health.

SSB 1229 State Government

Prohibiting governmental entities from using public funds for lobbying activities and providing a penalty.

SSB 1230 State Government

Relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions.

SSB 1231 Human Resources

Relating to medication-assisted treatment under the Medicaid program.

SSB 1232 Human Resources

Relating to reimbursement for dually eligible Medicare and Medicaid members receiving the Medicare hospice benefit and Medicaid-only members electing the hospice benefit in a nursing facility.

SSB 1233 Judiciary

Establishing the criminal offense of sexual exploitation of a child with a disability by an employee of a community college and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 269**

HUMAN RESOURCES: Costello, Chair; Garrett and Ragan

Senate File 390

LABOR AND BUSINESS RELATIONS: Brown, Chair; Guth and T. Taylor

Senate File 391

LABOR AND BUSINESS RELATIONS: Whiting, Chair; Brown and T. Taylor

Senate File 418
(Reassigned)

STATE GOVERNMENT: Schultz, Chair; T. Taylor and Whiting

Senate File 419

HUMAN RESOURCES: Carlin, Chair; Garrett and Quirmbach

Senate File 420

HUMAN RESOURCES: Costello, Chair; Miller-Meeks and Ragan

Senate File 456

JUDICIARY: Dawson, Chair; Hogg and Sinclair

SSB 1220
(Reassigned)

JUDICIARY: Schultz, Chair; Hogg and Sinclair

SSB 1226

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Brown and Dotzler

SSB 1227

AGRICULTURE: Rozenboom, Chair; Kinney and Zumbach

SSB 1228

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

SSB 1229

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

SSB 1230

STATE GOVERNMENT: Miller-Meeks, Chair; Schultz and T. Taylor

SSB 1231

HUMAN RESOURCES: Greene, Chair; Miller-Meeks and Ragan

SSB 1232

HUMAN RESOURCES: Carlin, Chair; Jochum and Segebart

SSB 1233

JUDICIARY: Garrett, Chair; Chapman and Kinney

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: *SENATE FILE 444 (SSB 1181), a bill for an act providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, and Wahls. Nays, none. Absent, 1: R. 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 444, and they were attached to the committee report.

APPROPRIATIONS

Bill Title: *SENATE JOINT RESOLUTION 20 (formerly SJR 2), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the state budget by creating a state general fund expenditure limitation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Breitbach, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, and Shipley. Nays, 5: Bolkcom, Celsi, Dotzler, T. Taylor, and Wahls. Absent, 1: Kraayenbrink.

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 Joint Resolution 20, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 457 (formerly SF 225), 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: Yeas, 20: Breitbach, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, 1: Kraayenbrink.

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 457, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 445 (formerly SF 29), a bill for an act relating to additional weighting for limited English proficient students and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, 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 Education Committee on Senate File 445, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 448 (formerly SF 254), a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 449 (formerly SF 288), 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: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 458 (SSB 1147), a bill for an act relating to debts for which the homestead is liable by providing that the homestead may be sold to satisfy debts secured by a mechanic's lien, including principal, interest, attorney fees, and costs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 458, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 459 (formerly SF 213), a bill for an act relating to the carrying, transportation, or possession of firearms on real property comprising a person's place of employment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 1: Petersen. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 459, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 460 (SSB 1144), a bill for an act relating to the dissemination and exhibition of obscene material to a minor by the parent or guardian of the minor, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 460, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 461 (formerly SF 151), a bill for an act relating to home improvement fraud and providing penalties for contractors who commit home improvement fraud.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 461, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 462 (SSB 1008), a bill for an act relating to restrictions on bailable defendants charged with homicide by motor vehicle.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 462, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 463 (SSB 1053), a bill for an act relating to landlord remedies and procedures relating to failure to timely pay rent and forcible entry and detainer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 3: Kinney, Bisignano, and Petersen. Present, 1: Dawson. Absent, 2: Hogg and R. 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 Judiciary Committee on Senate File 463, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 464 (SSB 1063), a bill for an act relating to clerks of court, including the number of counties in which a clerk may serve and residency requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, none. Absent, 2: Hogg and R. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 446 (SSB 1160), a bill for an act relating to political and campaign ethics, including the reporting of certain gifts and bequests received by the executive branch and attribution statements on published materials, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 447 (SSB 1212), a bill for an act relating to the power of cities to regulate certain building restrictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: R. Smith, Johnson, Bisignano, Chapman, Cournoyer, Dawson, Feenstra, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, 3: Celsi, Jochum, and Lykam. 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 447, 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:

EDUCATION

David Schipper – Board of Educational Examiners
Ryan Williamson – Board of Educational Examiners

HUMAN RESOURCES

Stephen Dengle – Health Facilities Council

Russell Wood – Mental Health and Disability Services Commission
Lorrie Young – Mental Health and Disability Services Commission

JUDICIARY

Justin Johnston – Iowa State Civil Rights Commission

LABOR AND BUSINESS RELATIONS

Rick Coffman – Plumbing and Mechanical Systems Board
Matthew Wyant – Plumbing and Mechanical Systems 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:

EDUCATION

Frederick Lindenmayer – State Board of Regents

TRANSPORTATION

Stephan Bayens – Commissioner of Public Safety

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 5, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Greg Jorgensen of the Downtown Church in Milford, Iowa. He was the guest of Senator Whiting.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Monday, March 4, 2019, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Stephan Bayens, the Governor's appointee to be the Commissioner of Public Safety. He was the guest of Senators Breitbach and T. Taylor and the committee on Transportation.

SPECIAL GUESTS

Senator Rozenboom introduced to the Senate chamber Queen Olivia Vander Leest and representatives from Pella's Eighty-fourth Annual Tulip Time Festival. Queen Vander Leest invited the Senate chamber to attend the Tulip Time Festival in Pella on May 2, 3, and 4, 2019.

The Senate rose and expressed its welcome.

Senator Rozenboom escorted the Queen and her court to the well. Queen Vander Leest introduced the following members of her court: Mary Kate Bandstra and her parents, Ryan and Anne Bandstra; IsaBella Baugh and her parents, Curtis and Lori Baugh; Camryn Huyser and her parents, Chad and Valerie Huyser; and Emily Schreur and her parents, Seth and Sarah Schreur. The Queen presented President Schneider with a package of the famous Pella Dutch pastries.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:14 a.m. until 9:00 a.m., Wednesday, March 6, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on March 5, 2019.

DEPARTMENT OF WORKFORCE DEVELOPMENT

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on March 4, 2019.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on March 4, 2019.

CERTIFICATES OF RECOGNITION

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

Julien Broderson—For becoming a three-time 2A state champion. Senator R. Smith.

Clarah Buhman, Bettendorf—For earning the Gold Award, the highest award in Girl Scouting. Senator R. Smith.

Clarksville High School Girls Basketball Team—For winning the Class 1A District Championship, and Iowa State Basketball Tournament Qualifier. Senator Ragan.

Tara Cox, Bondurant—Upon her election to city council. Senator Nunn.

Scott Leighter, Altoona—Upon his election to city council. Senator Nunn.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, February 13, 2019, 2:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Costello, Edler, Garrett, Greene, Johnson, Quirmbach, and Ragan.

Members Absent: Carlin and Jochum (both excused).

Committee Business: Passed SCR 2, as amended. Presentations by Directors Jerry Foxhoven and Michael Randol.

Adjourned: 3:00 p.m.

ALSO:

Convened: Wednesday, February 27, 2019, 3:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Passed SF 252 and SF 251.

Adjourned: 3:35 p.m.

ALSO:

Convened: Monday, March 4, 2019, 3:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Passed Governor Appointments. SSB 1209, SSB 1189, SSB 1197, SF 292, and SF 348.

Adjourned: 4:20 p.m.

JUDICIARY

Convened: Tuesday, March 5, 2019, 10:00 a.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: SF 235, as amended; SF 243, as amended; SF 180; SF 256, as amended; SF 125, as amended; SF 126, as amended; and SSB 1054.

Adjourned: 11:50 a.m.

STATE GOVERNMENT

Convened: Tuesday, March 5, 2019, 1:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: None.

Committee Business: SSB 1125 and SJR 9.

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 8, by committee on Education, a concurrent resolution to establish a fine arts program interim study committee.

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

INTRODUCTION OF BILLS

Senate File 470, by Kapucian, a bill for an act allowing a landowner of agricultural land to obtain relief from a government body for its use of adjacent real property.

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

Senate File 471, by Zaun, a bill for an act relating to the termination of parental rights of an incarcerated parent under child in need of assistance proceedings.

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

Senate File 472, by Brown, a bill for an act relating to imposition of optional taxes for emergency medical services by counties.

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

Senate File 473, by committee on Transportation, a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

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

Senate File 474, by committee on Transportation, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

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

Senate File 475, by committee on State Government, a bill for an act providing for notarial acts involving real estate transactions, including by the use of electronic media, providing penalties, and including effective date provisions.

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

Senate File 476, by committee on Labor and Business Relations, a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

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

Senate File 477, by committee on Human Resources, a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings.

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

Senate File 478, by committee on Transportation, a bill for an act relating to lighting devices and other equipment on snow plows and authorized emergency vehicles.

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

Senate File 479, by committee on Human Resources, a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

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

Senate File 480, by committee on Education, a bill for an act requesting the establishment of an interim committee to study the feasibility of allowing a day of virtual instruction to count as a minimum school day when inclement weather causes schools to close.

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

Senate File 481, 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 482, by Boulton, a bill for an act relating to 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 under Rule 28 and referred to committee on **State Government**.

Senate File 483, by Petersen, a bill for an act relating to sexual harassment in employment and working relationships, and including effective date provisions.

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

STUDY BILLS RECEIVED

SSB 1234 Commerce

Relating to Medicaid processes, procedures, and oversight.

SSB 1235 Human Resources

Relating to the practice of dentistry, including the practice of dental hygiene and the services of dental assistants, and providing penalties.

SSB 1236 Ways and Means

Relating to the exclusion of retirement income from the computation of the individual income tax including providing an exclusion for the federal civil service retirement system, and phasing in an exclusion of other retirement income, and including retroactive applicability provisions.

SSB 1237 Labor and Business Relations

Requiring drug testing of applicants for and certain recipients of assistance under the family investment program.

SSB 1238 State Government

Relating to the practice and licensure of physician assistants, and providing penalties.

SSB 1239 State Government

Relating to the auditor of state and including effective date and applicability provisions.

SSB 1240 Human Resources

Relating to the provision of behavioral health services including via telemedicine in a school setting.

SSB 1241 State Government

Relating to the conduct of state and local elections, providing penalties, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 421**

HUMAN RESOURCES: Carlin, Chair; Edler and Jochum

Senate File 422

HUMAN RESOURCES: Costello, Chair; Greene and Mathis

Senate File 423

TRANSPORTATION: Brown, Chair; Koelker and J. Smith

Senate File 431

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and T. Taylor

Senate File 434

HUMAN RESOURCES: Edler, Chair; Carlin and Ragan

Senate File 443

HUMAN RESOURCES: Costello, Chair; Bolkcom and Carlin

Senate File 453

HUMAN RESOURCES: Costello, Chair; Greene and Quirmbach

Senate File 454

HUMAN RESOURCES: Costello, Chair; Bolkcom and Johnson

Senate File 466

JUDICIARY: Schultz, Chair; Chapman and R. Taylor

Senate File 467

HUMAN RESOURCES: Greene, Chair; Quirmbach and Segebart

Senate File 468

HUMAN RESOURCES: Costello, Chair; Garrett and Jochum

Senate File 469

JUDICIARY: Garrett, Chair; R. Taylor and Whiting

Senate File 471

JUDICIARY: Garrett, Chair; Sweeney and R. Taylor

SSB 1234

COMMERCE: Koelker, Chair; Johnson and Mathis

SSB 1235

HUMAN RESOURCES: Miller-Meeks, Chair; Mathis and Segebart

SSB 1236

WAYS AND MEANS: Feenstra, Chair; Bolkcom and R. Smith

SSB 1237

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dotzler and Whiting

SSB 1238

STATE GOVERNMENT: Whiting, Chair; Bisignano and Cournoyer

SSB 1239

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

SSB 1240

HUMAN RESOURCES: Miller-Meeks, Chair; Johnson and Quirmbach

SSB 1241

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

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE CONCURRENT RESOLUTION 8 (SSB 1214), a concurrent resolution to establish a fine arts program interim study committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 480 (formerly SF 353), a bill for an act requesting the establishment of an interim committee to study the feasibility of allowing a day of virtual instruction to count as a minimum school day when inclement weather causes schools to close.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, 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 Education Committee on Senate File 480, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 481 (formerly SF 297), 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: Yeas, 10: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 5: Quirmbach, Celsi, Ragan, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 481, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 477 (SSB 1209), a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 479 (SSB 1197), a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 476 (SSB 1204), a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 475 (SSB 1116), a bill for an act providing for notarial acts involving real estate transactions, including by the use of electronic media, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. 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 State Government Committee on Senate File 475, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 388, a bill for an act relating to the Iowa patriots memorial highway, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 389, a bill for an act relating to the operation of motor vehicles in the left-most lane of certain roadways, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 473 (SSB 1208), a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 474 (formerly SF 295), a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 478 (SSB 1047), a bill for an act relating to lighting devices and other equipment on snow plows and authorized emergency vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, 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 478, and they were attached to the committee report.

**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 with recommendation for confirmation:

COMMERCE

Philip Groner – Executive Director of the Iowa Telecommunications and Technology Commission

**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:

COMMERCE

Debi Durham – Executive Director of the Iowa Finance Authority

AMENDMENT FILED

S-3012 S.F. 461 Amy Sinclair

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 6, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Terry Pollard of the New Sharon 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 Ellie Reece.

The Journal of Tuesday, March 5, 2019, was approved.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 473, 474, and 481** be referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:11 a.m. until 9:00 a.m., Thursday, March 7, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Rob Fangmann, Cedar County Engineer's Office—For receiving the Iowa Department of Transportation's "Award of Excellence" in recognition of outstanding design and construction for the Cedar County's Secondary Road Project. Senator Wahls.

Jacob Fjeld, Iowa Falls-Alden—For becoming the 2019–2020 North Central District FFA Vice President. Senator Sweeney.

Jason Meier, West Fork—For becoming the 2019–2020 North Central District FFA Secretary. Senator Sweeney.

Diana Mulder, Aplington-Parkersburg—For becoming the 2019–2020 North Central District FFA Reporter. Senator Sweeney.

Gage Morain, Boone A&M—For becoming the 2019–2020 North Central District FFA Treasurer. Senator Sweeney.

Jackie Reding, Algona—For becoming the 2019–2020 North Central District FFA Sentinel. Senator Sweeney.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, March 5, 2019, 4:50 p.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: SSB 1035, as amended, passed with a record roll call. SSB 1202 passed with a record roll call. SSB 1205, as amended, passed with a record roll call. SSB 1173 passed with a voice vote. SSB 1174 passed with a voice vote. SSB 1177 passed with a voice vote. Governor's Appointments Debi Durham for Finance Authority Executive Director of Iowa was approved by committee to be placed on individual confirmation. Philip Groner for Telecommunications and Technology Commission Executive Director of Iowa was approved to place en bloc confirmation.

Adjourned: 6:10 p.m.

ALSO:

Convened: Wednesday, March 6, 2019, 9:30 a.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: SSB 1110 passed with a record roll call. SSB 1200, as amended, passed via voice vote with Senators Bisignano, Bolkcom, Mathis, Petersen, and Quirmbach recorded as Nay. SSB 1216, as amended, passed via voice vote. SSB 1194, as amended, passed via voice vote. SF 313, as amended, passed with a voice vote with Senators Bisignano, Bolkcom, Lykam, Petersen, and Quirmbach recorded as Nay.

Adjourned: 11:10 a.m.

EDUCATION

Convened: Wednesday, March 6, 2019, 2:05 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: SF 372 and SF 318.

Adjourned: 3:10 p.m.

JUDICIARY

Convened: March 6, 2019, 12:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: SSB 1170 Chapman, SSB 1146 Garrett, SSB 1199 Shipley, SSB 1172 Whiting, SF 10 Garrett, SSB 1136 Dawson, SSB 1167 Dawson, SSB 1198 Dawson, SF 380 Whiting, and SSB 1203 Garrett.

Adjourned: 12:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, March 6, 2019, 2:05 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:40 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 5, 2019, 3:00 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Consideration of bills: SSB 1120, SF 385, SSB 1221, SF 374, SF 290, and SF 59.

Adjourned: 4:40 p.m.

VETERANS AFFAIRS

Convened: Tuesday, March 5, 2019, 3:00 p.m.

Members Present: Dawson, Chair; Miller-Meeks, Vice Chair; R. Taylor, Ranking Member; Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan.

Members Absent: None.

Committee Business: SSB 1022, SSB 1065, and SSB 1127.

Adjourned: 3:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 21, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa that the Constitution of the State of Iowa does not secure or protect a right to or require the funding of abortion.

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

INTRODUCTION OF BILLS

Senate File 484, by committee on Labor and Business Relations, a bill for an act relating to electronic benefits transfer cards under the food assistance program and making penalties applicable.

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

Senate File 485, by committee on Veterans Affairs, a bill for an act relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

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

Senate File 486, 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 487, by committee on Judiciary, a bill for an act modifying the periods of time to bring criminal actions for sexual offenses against a minor, providing penalties, and including effective date provisions.

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

Senate File 488, by committee on Education, a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges.

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

Senate File 489, by committee on Human Resources, a bill for an act relating to continuity of care for covered persons with epilepsy, and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

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

Senate File 490, by committee on Human Resources, a bill for an act relating to tobacco cessation services under the Medicaid program.

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

Senate File 491, by Hogg, a bill for an act requiring the water resources coordinating council to make recommendations for a pilot project for universal riparian buffers.

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

Senate File 492, by Hogg, a bill for an act establishing an agriculture climate adaptation advisory task force and providing for an agriculture climate adaptation report.

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

Senate File 493, by Celsi, a bill for an act related to a study of the recycling and reuse of plastic containers and packaging sold in the state.

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

Senate File 494, by Celsi, a bill for an act relating to the applicability of beverage containers control provisions, refund value for beverage containers, and handling fees.

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

Senate File 495, by Celsi, a bill for an act relating to school bus equipment standards, requirements, and funding, and including effective date provisions.

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

Senate File 496, by Celsi, a bill for an act providing for appropriations from the beer and liquor control fund to the Iowa department of public health for substance abuse treatment and prevention programs.

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

Senate File 497, by Celsi, Hogg, Petersen, Bolkcom, Quirmbach, and T. Taylor, a bill for an act relating to cigarettes, tobacco products, and vapor products, including taxation of such products.

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

Senate File 498, by Celsi, a bill for an act providing for the installation of solar energy systems in state buildings.

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

Senate File 499, by Celsi, a bill for an act relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, including establishing a minimum age for activities relative to these products, and making penalties applicable.

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

Senate File 500, by committee on Judiciary, a bill for an act relating to the establishment of a needle exchange pilot program by the Iowa department of public health.

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

Senate File 501, by committee on Judiciary, a bill for an act relating to the medical cannabidiol Act.

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

Senate File 502, by committee on Local Government, a bill for an act relating to disclosures of certain information, including reprisals with respect to employees of a political subdivision of the state and providing information to employees concerning the office of ombudsman.

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

Senate File 503, by committee on Natural Resources and Environment, a bill for an act relating to fee programs for permittee participation in lieu of required compensatory mitigation of stream and wetland impacts and making appropriations.

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

Senate File 504, by committee on Commerce, a bill for an act relating to timely submission of claims by health care providers to health insurers.

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

Senate File 505, by committee on Commerce, a bill for an act modifying provisions relating to the licensure of professional landscape architects.

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

Senate File 506, by committee on Commerce, a bill for an act relating to procedural requirements for the merger of state credit unions.

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

Senate File 507, by committee on Commerce, a bill for an act relating to the definition of personal injuries arising out of and in the course of the employment for the purposes of compensable acts for workers' compensation.

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

Senate File 508, 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 509, by committee on Commerce, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

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

Senate File 510, by committee on Commerce, a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

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

Senate File 511, by committee on Natural Resources and Environment, a bill for an act relating to maintenance of septic systems using a peat moss biofilter system, a recirculating textile filter system, or an aerobic treatment unit.

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

Senate File 512, by committee on Veterans Affairs, a bill for an act relating to military and veterans benefits.

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

Senate File 513, by committee on Human Resources, a bill for an act relating to the prescribing and dispensing of self-administered hormonal contraceptives.

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

Senate File 514, by committee on State Government, a bill for an act relating to specific circumstances requiring the submission of a groundwater hazard statement with the declaration of value submitted to a county recorder in order to grant, assign, transfer, or convey real property.

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

Senate File 515, by committee on Judiciary, a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee or an entitled person, and providing for fees.

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

Senate File 516, by committee on Judiciary, a bill for an act relating to the employment of unauthorized aliens and providing penalties.

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

Senate File 517, by committee on Judiciary, a bill for an act relating to domestic relations proceedings involving parties with a history of domestic abuse.

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

Senate File 518, by Celsi, 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 519, by committee on Agriculture, a bill for an act relating to an offense involving trespass to agricultural production facilities, providing penalties, and including effective date provisions.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 432

EDUCATION: Sinclair, Chair; J. Smith and Zaun

Senate File 433

EDUCATION: Sinclair, Chair; Quirmbach and Zaun

Senate File 440

EDUCATION: Sinclair, Chair; Quirmbach and Zaun

Senate File 441

EDUCATION: Sinclair, Chair; Wahls and Zaun

Senate File 450

COMMERCE: Chapman, Chair; Quirmbach and R. Smith

Senate File 451

COMMERCE: Chapman, Chair; Bisignano and R. Smith

Senate File 452

COMMERCE: Chapman, Chair; Mathis and R. Smith

Senate File 455

STATE GOVERNMENT: Whiting, Chair; Celsi and Schultz

Senate File 465

STATE GOVERNMENT: Whiting, Chair; Celsi and Schultz

Senate File 482

STATE GOVERNMENT: Whiting, Chair; Schultz and T. Taylor

Senate File 483

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and T. Taylor

Senate File 495

EDUCATION: Sinclair, Chair; Celsi and Zaun

Senate File 498

STATE GOVERNMENT: Whiting, Chair; Celsi and Schultz

Senate File 499

JUDICIARY: Schultz, Chair; Kinney and Sweeney

House File 310

STATE GOVERNMENT: Miller-Meeks, Chair; Chapman and Lykam

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: *SENATE FILE 519 (SSB 1227), a bill for an act relating to an offense involving trespass to agricultural production facilities, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Rozenboom, and Shipley. Nays, 4: Mathis, Ragan, R. Taylor, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 519, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 504 (SSB 1202), a bill for an act relating to timely submission of claims by health care providers to health insurers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 6: Lykam, Bisignano, Bolkcom, Mathis, Petersen, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 505 (SSB 1173), a bill for an act modifying provisions relating to the licensure of professional landscape architects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 506 (SSB 1177), a bill for an act relating to procedural requirements for the merger of state credit unions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 507 (SSB 1205), a bill for an act relating to the definition of personal injuries arising out of and in the course of the employment for the purposes of compensable acts for workers' compensation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 6: Lykam, Bisignano, Bolkcom, Mathis, Petersen, 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 Commerce Committee on Senate File 507, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 509 (SSB 1174), a bill for an act relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 510 (SSB 1110), a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 6: Lykam, Bisignano, Bolkcom, Mathis, Petersen, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 488 (SSB 1163), a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Present, 1: 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 Education Committee on Senate File 488, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 489 (formerly SF 292), a bill for an act relating to continuity of care for covered persons with epilepsy, and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. 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 489, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 490 (SSB 1189), a bill for an act relating to tobacco cessation services under the Medicaid program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. 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 490, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 513 (formerly SF 348), a bill for an act relating to the prescribing and dispensing of self-administered hormonal contraceptives.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Miller-Meeks, Segebart, Mathis, Bolkcom, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, 1: Carlin. 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 513, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 486 (formerly SF 180), 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: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 487 (SSB 1054), a bill for an act modifying the periods of time to bring criminal actions for sexual offenses against a minor, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 500 (formerly SF 125), a bill for an act relating to the establishment of a needle exchange pilot program by the Iowa department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, R. Taylor, and Whiting. Nays, 3: Chapman, Sinclair, and Sweeney. 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 500, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 501 (formerly SF 256), a bill for an act relating to the medical cannabidiol Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Zaun, Kinney, Bisignano, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and R. Taylor. Nays, 4: Dawson, Chapman, Garrett, and Whiting. 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 500, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 515 (formerly SF 126), a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee or an entitled person, and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 515, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 516 (formerly SF 243), a bill for an act relating to the employment of unauthorized aliens and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Zaun, Dawson, Bisignano, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 4: Kinney, Hogg, Petersen, and R. 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 516, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 517 (formerly SF 235), a bill for an act relating to domestic relations proceedings involving parties with a history of domestic abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 517, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 484 (SSB 1132), a bill for an act relating to electronic benefits transfer cards under the food assistance program and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor. 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 Labor and Business Relations Committee on Senate File 484, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 502 (formerly SF 400), a bill for an act relating to disclosures of certain information, including reprisals with respect to employees of a political subdivision of the state and providing information to employees concerning the office of ombudsman.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Edler, Greene, J. Smith, Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, 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 502, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 508 (formerly SF 240), 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: Yeas, 7: Edler, Greene, Garrett, Guth, Kraayenbrink, Lofgren, and Segebart. Nays, 4: J. Smith, Boulton, Hogg, 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 Local Government Committee on Senate File 508, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 503 (SSB 1120), a bill for an act relating to fee programs for permittee participation in lieu of required compensatory mitigation of stream and wetland impacts and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 511 (formerly SF 385), a bill for an act relating to maintenance of septic systems using a peat moss biofilter system, a recirculating textile filter system, or an aerobic treatment unit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, 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 Natural Resources and Environment Committee on Senate File 511, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE JOINT RESOLUTION 21 (formerly SJR 9), a joint resolution proposing an amendment to the Constitution of the State of Iowa that the Constitution of the State of Iowa does not secure or protect a right to or require the funding of abortion.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: R. Smith, Johnson, Chapman, Cournoyer, Dawson, Feenstra, Miller-Meeks, Schultz, Whiting, and Zaun. Nays, 5: Bisignano, Celsi, Jochum, Lykam, and T. 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 State Government Committee on Senate Joint Resolution 21, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 514 (SSB 1125), a bill for an act relating to specific circumstances requiring the submission of a groundwater hazard statement with the declaration of value submitted to a county recorder in order to grant, assign, transfer, or convey real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Johnson, Bisignano, Chapman, Cournoyer, Dawson, Feenstra, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, 2: Celsi 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 514, and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: SENATE FILE 485 (SSB 1022), a bill for an act relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dawson, Miller-Meeks, R. Taylor, Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 512 (SSB 1065), a bill for an act relating to military and veterans benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dawson, Miller-Meeks, R. Taylor, Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan. 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 Veterans Affairs Committee on Senate File 512, and they were attached to the committee report.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 7, 2019

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

Prayer was offered by the Honorable Thomas A. Greene, member of the Senate from Des Moines County, Burlington, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Birdwell.

The Journal of Wednesday, March 6, 2019, 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 March 7, 2019, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-eighth General Assembly.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:11 a.m. until 1:00 p.m., Monday, March 11, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Jan Bauer—For her many years of exemplary service to the Story County Democratic Party and to the voters and community members of Story County. Senator Quirmbach.

McKenna Beck—For leading students to All Conference Honors in the River Valley Speech Contest. Senator Wahls.

Tom Beell—For his many years of exemplary service to the Story County Democratic Party and to the voters and community members of Story County. Senator Quirmbach.

Shadyn Bishop of the Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

Lauren Bodman of the Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

Tom Corrieri—For his many years of exemplary service to the Story County Democratic Party and to the voters and community members of Story County. Senator Quirmbach.

Lily Fischer of the Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

Madisyn Gerdts of the Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

Choral Hahn of the Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

John Klaus—For his many years of exemplary service to the Story County Democratic Party and to the voters and community members of Story County. Senator Quirmbach.

The Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

Whittney Morse of the Louisa-Muscatine High School Bowling Team—For winning the 2019 Class 1A State Bowling Tournament. Senator Lofgren.

Glen and Judith Swanson, Durant—For their induction into the Muscatine County Cattlemen's Hall of Fame. Senator Wahls.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, March 6, 2019, 1:30 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: None.

Committee Business: SSB 1217, SSB 1227, SF 370, and SF 57.

Adjourned: 2:00 p.m.

COMMERCE

Convened: Thursday, March 7, 2019, 10:05 a.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: SSB 1201, as amended, passed with a voice vote with Senators Bisignano, Bolkcom, Petersen, and Quirmbach voting Nay. SSB 1206 passed with a voice vote. SSB 1207 passed with a voice vote. SSB 1195 passed with a voice vote with Senator Quirmbach recorded as a Nay. SF 216 passed with a voice vote with Senator Quirmbach recorded as a Nay. SSB 1088, as amended, passed with a record roll call. SSB 1223, as amended, passed with a voice vote. SSB 1222 passed with a voice vote. SSB 1095, as amended, passed with a voice vote with Senators Lykam, Bisignano, Mathis, and Petersen recorded as Nay.

Adjourned: 11:05 a.m.

STATE GOVERNMENT

Convened: Wednesday, March 6, 2019, 4:35 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: SSB 1229, SF 399, SSB 1238, SF 201, and SF 351.

Adjourned: 5:50 p.m.

INTRODUCTION OF BILLS

Senate File 520, by committee on Natural Resources and Environment, a bill for an act relating to the redemption and handling of beverage containers, providing civil penalties, and including effective date provisions.

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

Senate File 521, by committee on Natural Resources and Environment, a bill for an act relating to goose hunting on private property.

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

Senate File 522, 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 523, by committee on Judiciary, a bill for an act relating to the nonconsensual termination of and serious injury to a human pregnancy, and providing penalties.

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

Senate File 524, by committee on Judiciary, a bill for an act relating to sexual exploitation by a youth athletics coach and providing penalties.

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

Senate File 525, by committee on Judiciary, a bill for an act permitting qualified entities to request national criminal history checks of certain covered individuals.

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

Senate File 526, by committee on Judiciary, a bill for an act creating a blue alert program within the department of public safety for the apprehension of a person suspected of killing or seriously injuring a peace officer in the line of duty or due to safety concerns for a peace officer missing while on duty.

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

Senate File 527, by committee on Commerce, a bill for an act relating to evidence of title by state banks and credit unions for certain loans.

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

Senate File 528, by committee on Commerce, a bill for an act relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces.

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

Senate File 529, by committee on Veterans Affairs, 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 under Rule 28 and **placed on calendar**.

Senate File 530, by committee on Human Resources, a bill for an act relating to the dispensing of insulin in emergency situations, and providing for insurance coverage.

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

Senate File 531, by committee on Human Resources, a bill for an act relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals.

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

Senate File 532, by committee on Judiciary, a bill for an act relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions.

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

Senate File 533, by committee on Commerce, a bill for an act concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages.

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

Senate File 534, by committee on Commerce, a bill for an act relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

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

Senate File 535, by committee on Commerce, a bill for an act modifying provisions relating to the regulation and sale of certain fireworks, making penalties applicable, and including effective date provisions.

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

Senate File 536, by committee on State Government, a bill for an act relating to telepharmacy licensing requirements.

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

Senate File 537, by committee on Natural Resources and Environment, a bill for an act relating to taking coyotes while using an artificial source of light.

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

Senate File 538, by committee on Labor and Business Relations, a bill for an act relating to community engagement activity requirements under the Iowa health and wellness plan.

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

Senate File 539, by committee on Education, a bill for an act establishing the office of student loan ombudsman within the college student aid commission.

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

Senate File 540, by committee on Human Resources, a bill for an act relating to the temporary delegation of parental authority by the parent, guardian, or legal custodian of a child.

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

Senate File 541, by committee on Human Resources, a bill for an act relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services.

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

Senate File 542, by committee on Human Resources, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid members receiving the Medicare hospice benefit and Medicaid-only members electing the hospice benefit in a nursing facility.

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

Senate File 543, by committee on Human Resources, a bill for an act relating to the application fee and annual fee imposed for nonassistance child support cases.

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

Senate File 544, by committee on Human Resources, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements.

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

Senate File 545, by committee on Human Resources, a bill for an act providing for the reinstatement of parental rights of a former parent under certain circumstances.

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

Senate File 546, 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 547, by committee on Education, a bill for an act relating to education savings grants for certain pupils attending an accredited nonpublic school or specified public schools, 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 **placed on calendar**.

Senate File 548, by committee on Natural Resources and Environment, a bill for an act relating to the acquisition, donation, or sale of real property for specified purposes.

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

Senate File 549, by committee on State Government, a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing penalties, and including effective date provisions.

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

Senate File 550, by Wahls, a bill for an act relating to additional weighting for limited English proficient students and including applicability provisions.

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

Senate File 551, by Wahls, a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

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

Senate File 552, by Wahls, a bill for an act requiring the economic development authority to conduct a study of combined heat and power.

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

Senate File 553, by Wahls, a bill for an act relating to background checks for persons being considered for employment by a child care home and providing access to child abuse information in the child abuse registry.

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

STUDY BILL RECEIVED

SSB 1242 Judiciary

Relating to guardianships and conservatorships for adults and minors and providing for jurisdiction, definitions, proceedings, administration, and closing, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 472

WAYS AND MEANS: Brown, Chair; Schultz and Wahls

Senate File 496

APPROPRIATIONS: Breitbach, Chair; Kraayenbrink and Wahls

Senate File 518

AGRICULTURE: Zumbach, Chair; Brown and Kinney

SSB 1242

JUDICIARY: Dawson, Chair; Garrett and Kinney

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: *SENATE FILE 527 (formerly SF 313), a bill for an act relating to evidence of title by state banks and credit unions for certain loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 5: Lykam, Bisignano, Bolkcom, Petersen, 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 Commerce Committee on Senate File 527, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 528 (SSB 1200), a bill for an act relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Chapman, Koelker, Lykam, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 5: Bisignano, Bolkcom, Mathis, Petersen, 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 Commerce Committee on Senate File 528, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 533 (SSB 1216), a bill for an act concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. 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 Commerce Committee on Senate File 533, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 534 (SSB 1194), a bill for an act relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. 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 Commerce Committee on Senate File 534, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 535 (SSB 1035), a bill for an act modifying provisions relating to the regulation and sale of certain fireworks, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 6: Lykam, Bisignano, Bolkcom, Mathis, Petersen, 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 Commerce Committee on Senate File 535, and they were attached to the committee report.

EDUCATION

Bill Title: SENATE FILE 539 (formerly SF 318), a bill for an act establishing the office of student loan ombudsman within the college student aid commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

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

Bill Title: *SENATE FILE 547 (formerly SF 372), a bill for an act relating to education savings grants for certain pupils attending an accredited nonpublic school or specified public schools, establishing an education savings grant fund, providing an income tax exemption, making appropriations, providing penalties, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Sinclair, Behn, Edler, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 7: Cournoyer, Quirmbach, Celsi, Lofgren, Ragan, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 547, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 530 (formerly SF 291), a bill for an act relating to the dispensing of insulin in emergency situations, and providing for insurance coverage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 531 (formerly SF 387), a bill for an act relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 540 (formerly SF 360), a bill for an act relating to the temporary delegation of parental authority by the parent, guardian, or legal custodian of a child.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson. Nays, 5: Mathis, Bolkcom, Jochum, Quirmbach, and Ragan. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 541 (SSB 1210), a bill for an act relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 542 (SSB 1232), a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid members receiving the Medicare hospice benefit and Medicaid-only members electing the hospice benefit in a nursing facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 543 (SSB 1211), a bill for an act relating to the application fee and annual fee imposed for nonassistance child support cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 544 (formerly SF 419), a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 545 (formerly SF 421), a bill for an act providing for the reinstatement of parental rights of a former parent under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 522 (formerly SF 10), a bill for an act relating to grandparent and great-grandparent visitation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, 3: Bisignano, Hogg, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 523 (SSB 1170), a bill for an act relating to the nonconsensual termination of and serious injury to a human pregnancy, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 524 (formerly SF 380), a bill for an act relating to sexual exploitation by a youth athletics coach and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 525 (SSB 1203), a bill for an act permitting qualified entities to request national criminal history checks of certain covered individuals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 526 (SSB 1167), a bill for an act creating a blue alert program within the department of public safety for the apprehension of a person suspected of killing or seriously injuring a peace officer in the line of duty or due to safety concerns for a peace officer missing while on duty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 532 (SSB 1146), a bill for an act relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 532, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 546 (SSB 1172), 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: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3013.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 538 (SSB 1134), a bill for an act relating to community engagement activity requirements under the Iowa health and wellness plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Schultz, Whiting, Brown, Carlin, Guth, and Koelker. Nays, 5: T. Taylor, Bisignano, Dotzler, Nunn, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 520 (formerly SF 59), a bill for an act relating to the redemption and handling of beverage containers, providing civil penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Rozenboom, Behn, Cournoyer, Kapucian, Segebart, Sweeney, and Zumbach. Nays, 6: Shipley, Hogg, Boulton, Celsi, Lykam, and J. Smith. 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 Natural Resources and Environment Committee on Senate File 520, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 521 (formerly SF 290), a bill for an act relating to goose hunting on private property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Rozenboom, Shipley, Behn, Cournoyer, Kapucian, Segebart, Sweeney, and Zumbach. Nays, 5: Hogg, Boulton, Celsi, Lykam, and J. Smith. 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 Natural Resources and Environment Committee on Senate File 521, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 537 (formerly SF 374), a bill for an act relating to taking coyotes while using an artificial source of light.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Rozenboom, Shipley, Behn, Cournoyer, Kapucian, Segebart, Sweeney, and Zumbach. Nays, 5: Hogg, Boulton, Celsi, Lykam, and J. Smith. 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 Natural Resources and Environment Committee on Senate File 537, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 548 (SSB 1221), a bill for an act relating to the acquisition, donation, or sale of real property for specified purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Rozenboom, Shipley, Behn, Cournoyer, Kapucian, Segebart, Sweeney, and Zumbach. Nays, 5: Hogg, Boulton, Celsi, Lykam, J. Smith. 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 Natural Resources and Environment Committee on Senate File 548, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 536 (formerly SF 399), a bill for an act relating to telepharmacy licensing requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Johnson, Bisignano, Celsi, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 2: Chapman and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 549 (formerly SF 351), a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Johnson, Bisignano, Celsi, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 2: Chapman and Feenstra.

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 549, and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: *SENATE FILE 529 (SSB 1127), 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: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dawson, Miller-Meeks, R. Taylor, Carlin, Costello, Dotzler, Edler, Kinney, Koelker, Lofgren, and Ragan. 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 Veterans Affairs Committee on Senate File 529, and they were attached to the committee report.

AMENDMENT FILED

S-3013 S.F. 546 Judiciary

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 11, 2019

The Senate met in regular session at 1:02 p.m., President Schneider presiding.

Prayer was offered by Pastor Gary Sneller of the First Christian Church in Cedar Rapids, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sam Sampson.

The Journal of Thursday, March 7, 2019, was approved.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 202, 281, 401, 427, 444, and 509** be referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38; and **Senate File 445** be referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:06 p.m. until the completion of a meeting of the committee on Education.

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:

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Annual Report, pursuant to Iowa Code section 455G.4. Report received on March 8, 2019.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on March 8, 2019.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Thursday, March 7, 2019, 3:30 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: SSB 1135: Senator Garrett—Indigent Defense. SF 405: Senator Dawson—Criminal Omnibus. SF 382: Senator Nunn—Domestic Abuse Screening. SF 179: Senator Sweeney—Statutory Rape Additional Crimes. SF 381: Senator Nunn—Violent Repeat Offenders. SSB 1233: Senator Garrett—Exploitation of Child with Disability. SF 296: Senator Schultz—Death Penalty. SF 11: Senator Garrett—Equal Parenting. SF 406: Senator Whiting—Nonresident Public Offense Data Analysis. SF 363: Senator Dawson—Joy Riding. SSB 1007: Senator Nunn—County Attorneys professional permit to carry. SJR 8: Senator Chapman—Marcy’s Law. SSB 1220: Senator Schultz—Liability Shield with amendment. SF 68: Senator Sweeney—Good Samaritan.

Adjourned: 5:35 p.m.

STATE GOVERNMENT

Convened: Thursday, March 7, 2019, 11:20 a.m.

Recessed: 12:00 p.m.

Reconvened: 1:20 p.m.

Recessed: 1:30 p.m.

Reconvened: 2:25 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: None.

Committee Business: SF 418, SSB 1230, SSB 1228, SSB 1241, and SSB 1239.

Adjourned: 3:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 9, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-eighth general assembly.

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

INTRODUCTION OF BILLS

Senate File 554, by committee on Agriculture, a bill for an act establishing a pesticide administration and enforcement fund and making appropriations.

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

Senate File 555, by committee on Agriculture, a bill for an act relating to weight limitations for certain implements of husbandry.

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

Senate File 556, by committee on Commerce, a bill for an act relating to the membership of the life and health insurance guaranty association, assessments to member insurers for insurance written by impaired or insolvent member insurers, and including applicability provisions.

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

Senate File 557, by committee on Commerce, a bill for an act relating to demolition reserves on fire and casualty claims on real property located within a city and requesting an interim study on such reserves.

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

Senate File 558, by committee on Commerce, a bill for an act relating to requirements for domestic surplus lines insurers.

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

Senate File 559, by committee on Commerce, a bill for an act relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction.

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

Senate File 560, by committee on Commerce, a bill for an act related to installations of certain wireless telecommunications infrastructure in the state, and including effective date provisions.

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

Senate File 561, by committee on Commerce, 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 562, by committee on Commerce, a bill for an act relating to the removal of city utility board members, and including effective date provisions.

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

Senate File 563, by committee on Human Resources, a bill for an act relating to pharmacy benefit managers and health carriers and management of prescription drug benefits, and including applicability provisions.

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

Senate File 564, by committee on Human Resources, a bill for an act relating to the Iowa newborn screening panel.

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

Senate File 565, by committee on Human Resources, a bill for an act relating to prior authorization for medication-assisted treatment under the Medicaid program.

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

Senate File 566, by committee on Labor and Business Relations, a bill for an act relating to claims for unemployment insurance benefits and including applicability provisions.

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

Senate File 567, by committee on Labor and Business Relations, a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies.

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

Senate File 568, by committee on Judiciary, a bill for an act relating to officer-involved shootings and officer-involved critical incidents.

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

Senate File 569, by committee on Judiciary, a bill for an act relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, and including effective date provisions.

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

Senate File 570, by committee on Judiciary, a bill for an act relating to immunity from civil liability for disaster response by volunteers who enter upon or in private property without express consent of the owner, lessee, or person in lawful possession.

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

Senate File 571, 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 572, by committee on State Government, a bill for an act relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions.

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

Senate File 573, by committee on State Government, a bill for an act prohibiting the appropriation and expenditure of funds for lobbying activities by governmental entities, and providing a penalty.

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

Senate File 574, by committee on State Government, a bill for an act relating to boards and commissions of the state.

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

Senate File 575, by committee on State Government, a bill for an act relating to the conduct of state and local elections, providing penalties, and including effective date provisions.

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

Senate File 576, by committee on State Government, a bill for an act relating to the protection of certain patient information and data under the purview of the department of public health.

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

Senate File 577, by committee on Judiciary, a bill for an act establishing the criminal offense of sexual exploitation of a child with a disability by an employee of a community college and providing penalties.

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

Senate File 578, by committee on Judiciary, a bill for an act relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring.

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

Senate File 579, by committee on Judiciary, a bill for an act relating to nonresident alien public offense data collection and analysis.

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

Senate File 580, by committee on Judiciary, a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense.

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

Senate File 581, by committee on State Government, a bill for an act relating to the auditor of state and including effective date and applicability provisions.

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

Senate File 582, by committee on State Government, a bill for an act relating to the practice of barbering and cosmetology arts and sciences and providing transition provisions.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 473

WAYS AND MEANS: R. Smith, Chair; Brown and Wahls

Senate File 474

WAYS AND MEANS: Nunn, Chair; Behn and Wahls

Senate File 481

WAYS AND MEANS: Behn, Chair; Quirmbach and Sweeney

Senate File 497

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Edler

Senate File 550

EDUCATION: Sinclair, Chair; Cournoyer and Wahls

Senate File 551

EDUCATION: Sinclair, Chair; Cournoyer and Wahls

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: *SENATE FILE 554 (formerly SF 370), a bill for an act establishing a pesticide administration and enforcement fund and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 554, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 555 (SSB 1217), a bill for an act relating to weight limitations for certain implements of husbandry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 555, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 556 (SSB 1222), a bill for an act relating to the membership of the life and health insurance guaranty association, assessments to member insurers for insurance written by impaired or insolvent member insurers, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 557 (formerly SF 216), a bill for an act relating to demolition reserves on fire and casualty claims on real property located within a city and requesting an interim study on such reserves.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Sinclair, and R. Smith. Nays, 1: Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 558 (SSB 1207), a bill for an act relating to requirements for domestic surplus lines insurers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 559 (SSB 1206), a bill for an act relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirnbach, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 560 (SSB 1195), a bill for an act related to installations of certain wireless telecommunications infrastructure in the state, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Sinclair, and R. Smith. Nays, 1: Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 561 (SSB 1088), a bill for an act concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Chapman, Koelker, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 6: Lykam, Bisignano, Bolkcom, Mathis, Petersen, 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 Commerce Committee on Senate File 561, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 562 (SSB 1095), a bill for an act relating to the removal of city utility board members, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Chapman, Koelker, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Miller-Meeks, Nunn, Quirnbach, Sinclair, and R. Smith. Nays, 4: Lykam, Bisignano, Mathis, 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 562, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 563 (formerly SF 347), a bill for an act relating to pharmacy benefit managers and health carriers and management of prescription drug benefits, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. 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 563, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 564 (formerly SF 60), a bill for an act relating to the Iowa newborn screening panel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. 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 564, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 565 (SSB 1231), a bill for an act relating to prior authorization for medication-assisted treatment under the Medicaid program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. 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 565, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 568 (SSB 1198), a bill for an act relating to officer-involved shootings and officer-involved critical incidents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 568, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 569 (SSB 1199), a bill for an act relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 569, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 570 (formerly SF 68), a bill for an act relating to immunity from civil liability for disaster response by volunteers who enter upon or in private property without express consent of the owner, lessee, or person in lawful possession.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 571 (formerly SF 11), a bill for an act relating to the awarding of joint custody and joint physical care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 577 (SSB 1233), a bill for an act establishing the criminal offense of sexual exploitation of a child with a disability by an employee of a community college and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 578 (formerly SF 382), a bill for an act relating to domestic abuse, including provisions relating to the implementation of a domestic abuse lethality screening assessment and supervised electronic tracking and monitoring.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 1: R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 579 (formerly SF 406), a bill for an act relating to nonresident alien public offense data collection and analysis.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 580 (SSB 1220), a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, 1: Garrett. 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 580, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 566 (formerly SF 241), a bill for an act relating to claims for unemployment insurance benefits and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor. 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 Labor and Business Relations Committee on Senate File 566, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 567 (SSB 1112), a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, and Nunn. Nays, 1: R. 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 567, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 572 (SSB 1230), a bill for an act relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 573 (SSB 1229), a bill for an act prohibiting the appropriation and expenditure of funds for lobbying activities by governmental entities, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: R. Smith, Johnson, Chapman, Cournoyer, Dawson, Miller-Meeks, Schultz, Whiting, and Zaun. Nays, 5: Bisignano, Celsi, Jochum, Lykam, and T. Taylor. Absent, 1: Feenstra.

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 573, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 574 (formerly SF 201), a bill for an act relating to boards and commissions of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: R. Smith, Johnson, Bisignano, Cournoyer, Dawson, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, 3: Celsi, Jochum, and Lykam. Absent, 2: Chapman and Feenstra.

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 574, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 575 (SSB 1241), a bill for an act relating to the conduct of state and local elections, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: R. Smith, Johnson, Chapman, Cournoyer, Dawson, Feenstra, Miller-Meeks, Schultz, Whiting, and Zaun. Nays, 5: Bisignano, Celsi, Jochum, Lykam, and T. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 576 (SSB 1228), a bill for an act relating to the protection of certain patient information and data under the purview of the department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: R. Smith, Johnson, Bisignano, Chapman, Cournoyer, Dawson, Feenstra, Miller-Meeks, Schultz, Whiting, and Zaun. Nays, 4: Celsi, Jochum, Lykam, and T. 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 State Government Committee on Senate File 576, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 581 (SSB 1239), a bill for an act relating to the auditor of state and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, 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 581, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 582 (formerly SF 418), a bill for an act relating to the practice of barbering and cosmetology arts and sciences and providing transition provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, 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 582, and they were attached to the committee report.

RECONVENED

The Senate reconvened at 4:25 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator J. Smith, until she arrives, on request of Senator Petersen; and Senators Edler and Zaun, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 274, 282, 303, and 304.

Senate File 274

On motion of Senator Sinclair, **Senate File 274**, 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–3015, filed by her from the floor to pages 2–5 of the bill.

Senator Wahls offered amendment S–3019, filed by him from the floor to page 1 of amendment S–3015, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3019 to amendment S–3015 be adopted?” (S.F. 274), the vote was:

Yeas, 16:

| | | | |
|-----------|------------|------------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Kinney |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Taylor, R. | Taylor, T. | Wahls |

Nays, 30:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |

| | | | |
|-----------|-----------|----------|---------|
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zumbach | | |

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

Vacant, 1.

Amendment S-3019 to amendment S-3015 lost.

Senator Sinclair moved the adoption of amendment S-3015.

Amendment S-3015 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. 274), the vote was:

Yeas, 35:

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

Nays, 11:

| | | | |
|---------|------------|--------|----------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Hogg | Jochum | Mathis | Petersen |
| Ragan | Taylor, T. | Wahls | |

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

Vacant, 1.

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

Senate File 282

On motion of Senator Rozenboom, **Senate File 282**, a bill for an act providing for the repeal of the honey creek premier destination park bond program, 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. 282), the vote was:

Yeas, 46:

| | | | |
|------------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

Vacant, 1.

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

Senate File 303

On motion of Senator Koelker, **Senate File 303**, a bill for an act relating to the replacement of a person’s driver’s license or nonoperator’s identification card on the person’s twenty-first birthday anniversary, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 303), the vote was:

Yeas, 46:

| | | | |
|------------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

Vacant, 1.

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

Senate File 304

On motion of Senator Brown, **Senate File 304**, a bill for an act relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation, 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. 304), the vote was:

Yeas, 46:

| | | | |
|------------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

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 274, 282, 303, and 304** 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 367, 436, and 447.

Senate File 367

On motion of Senator Cournoyer, **Senate File 367**, a bill for an act eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network, was taken up for consideration.

Senator Cournoyer 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. 367), the vote was:

Yeas, 46:

| | | | |
|------------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

Vacant, 1.

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

Senate File 436

On motion of Senator Breitbart, **Senate File 436**, a bill for an act relating to wrecked or salvage motor vehicles, was taken up for consideration.

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. 436), the vote was:

Yeas, 46:

| | | | |
|------------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

Vacant, 1.

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

Senate File 447

On motion of Senator Chapman, **Senate File 447**, a bill for an act relating to the power of cities to regulate certain building restrictions, and including effective date provisions, was taken up for consideration.

Senator Chapman offered amendment S–3014, filed by him from the floor, amending the title page of the bill, and moved its adoption.

Amendment S–3014 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?” (S.F. 447), the vote was:

Yeas, 35:

| | | | |
|-----------|--------------|--------------|------------|
| Behn | Bisignano | Breitbart | Brown |
| Carlin | Chapman | Costello | Cournoyer |
| Dawson | Dotzler | Feenstra | Garrett |
| Greene | Guth | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Taylor, T. |
| Whiting | Whitver | Zumbach | |

Nays, 11:

| | | | |
|---------|------------|----------|-----------|
| Bolkcom | Boulton | Celsi | Hogg |
| Jochum | Mathis | Petersen | Quirmbach |
| Ragan | Taylor, R. | Wahls | |

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

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 Files 367, 436, and 447** 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 457.

Senate File 457

On motion of Senator Koelker, **Senate File 457**, 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, was taken up for consideration.

Senator Dawson offered amendment S-3016, filed by him from the floor to page 12 of the bill, and moved its adoption.

Amendment S-3016 was adopted by a voice vote.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 457), the vote was:

Yeas, 45:

| | | | |
|------------|-----------|--------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zumbach | | | |

Nays, 1:

Hogg

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

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 (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 209.

Senate File 209

On motion of Senator Behn, **Senate File 209**, a bill for an act to require school districts and accredited nonpublic schools to offer high school students an opportunity to take the United States citizenship and immigration services naturalization civics test, and including applicability provisions, was taken up for consideration.

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. 209), the vote was:

Yeas, 43:

| | | | |
|-----------|--------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Feenstra |
| Garrett | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zumbach | |

Nays, 3:

| | | |
|-------|---------|-----------|
| Celsi | Dotzler | Quirmbach |
|-------|---------|-----------|

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

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 209** and **457** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Joint Resolution 17.

Senate Joint Resolution 17

On motion of Senator Johnson, **Senate Joint Resolution 17**, 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 Johnson 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 17, 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 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 toy runs on dates to be determined prior to the eighty-ninth general assembly; 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 runs; 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 runs held prior to the eighty-ninth general assembly, 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. 17), the vote was:

Yeas, 46:

| | | | |
|------------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-------|-----------|------|
| Edler | Smith, J. | Zaun |
|-------|-----------|------|

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 17** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:45 p.m. until 9:00 a.m., Tuesday, March 12, 2019.

APPENDIX—2

CERTIFICATES OF RECOGNITION

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

Clear Lake Lions Boys Basketball Team—For winning the Class 3A District Championship and advancing to the Iowa State Basketball Tournament Semi-Finals. Senator Ragan.

Clear Lake Lions Boys Basketball Team—For winning the Class 3A District Championship and qualifying for the Iowa State Basketball Tournament. Senator Ragan.

Joanna Schanz, West Amana—For receiving the NBO 2019 National Basketry Organization Lifetime Achievement Award. Senator Kapucian.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, March 11, 2019, 2:00 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, Sweeney, and Wahls.

Members Absent: J. Smith and Zaun (both excused).

Committee Business: Presentation by appointees to the Board of Regents.

Adjourned: 2:40 p.m.

RULES AND ADMINISTRATION

Convened: Monday, March 11, 2019, 3:05 p.m.

Members Present: Whitver, Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Schneider, Vice Chair (excused).

Committee Business: Assigned gubernatorial appointees. SCR 9.

Adjourned: 3:10 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 10, by Nunn, a concurrent resolution honoring the peaceful kinship between the peoples of Japan and the United States and recognizing March 14, 2019, as Japan Day at the Iowa State Capitol.

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

Senate Concurrent Resolution 11, by Nunn, Edler, Kapucian, Johnson, Dotzler, Kinney, and Behn, a concurrent resolution 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**.

INTRODUCTION OF BILLS

Senate File 583, by committee on Commerce, a bill for an act relating to electric utility rates and infrastructure support options for private generation customers.

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

Senate File 584, by committee on Judiciary, a bill for an act establishing the offense of sexual activity with an individual sixteen or seventeen years of age, and providing penalties.

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

Senate File 585, by committee on Judiciary, a bill for an act relating to theft and the intent to deprive a person of the possession or control of certain property.

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

Senate File 586, by committee on Judiciary, a bill for an act establishing a criminal penalty for violent repeat offenders and providing for risk assessments.

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

Senate File 587, by committee on Judiciary, a bill for an act allowing county attorneys and assistant county attorneys to obtain a professional permit to carry weapons.

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

Senate File 588, by committee on Judiciary, a bill for an act creating a capital murder offense by establishing the penalty of death for murder in the first degree offenses involving kidnapping and sexual abuse offenses against the same victim who is a minor, and including effective date and applicability provisions.

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

Senate File 589, 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 and applicability provisions.

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

Senate File 590, by committee on Judiciary, a bill for an act relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

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

Senate File 591, by committee on Agriculture, a bill for an act relating to the mistreatment of certain animals other than livestock and wildlife, by providing for criminal offenses, and including penalties.

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

Senate File 592, by committee on State Government, a bill for an act relating to the practice and licensure of physician assistants, and providing penalties.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 202

WAYS AND MEANS: Brown, Chair; Edler and J. Smith

Senate File 281

WAYS AND MEANS: Sweeney, Chair; Behn and J. Smith

Senate File 401

WAYS AND MEANS: Chapman, Chair; Nunn and Quirmbach

Senate File 427

WAYS AND MEANS: Edler, Chair; Schultz and Wahls

Senate File 444

WAYS AND MEANS: Feenstra, Chair; Schultz and Wahls

Senate File 509

WAYS AND MEANS: Chapman, Chair; Bolkcom and Nunn

Senate File 552

COMMERCE: Chapman, Chair; Petersen and R. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 591 (formerly SF 57), a bill for an act relating to the mistreatment of certain animals other than livestock and wildlife, by providing for criminal offenses, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zumbach, Kinney, Brown, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, 3: Sweeney, Costello, and Edler. 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 Agriculture Committee on Senate File 591, and they were attached to the committee report.

COMMERCE

Bill Title: *SENATE FILE 583 (SSB 1201), a bill for an act relating to electric utility rates and infrastructure support options for private generation customers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Chapman, Koelker, Lykam, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Sinclair, and R. Smith. Nays, 4: Bisignano, Bolkcom, Petersen, 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 Commerce Committee on Senate File 583, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 584 (formerly SF 179), a bill for an act establishing the offense of sexual activity with an individual sixteen or seventeen years of age, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 585 (formerly SF 363), a bill for an act relating to theft and the intent to deprive a person of the possession or control of certain property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 586 (formerly SF 381), a bill for an act establishing a criminal penalty for violent repeat offenders and providing for risk assessments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 587 (SSB 1007), a bill for an act allowing county attorneys and assistant county attorneys to obtain a professional permit to carry weapons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 2: Bisignano and R. 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 587, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 588 (formerly SF 296), a bill for an act creating a capital murder offense by establishing the penalty of death for murder in the first degree offenses involving kidnapping and sexual abuse offenses against the same victim who is a minor, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Zaun, Dawson, Chapman, Garrett, Schultz, Shipley, Sweeney, and Whiting. Nays, 7: Kinney, Bisignano, Hogg, Nunn, Petersen, Sinclair, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 589 (formerly SF 405), a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 2: Hogg and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 590 (SSB 1135), a bill for an act relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 9, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-eighth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Whitver, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Schneider.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 592 (SSB 1238), a bill for an act relating to the practice and licensure of physician assistants, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Johnson, Bisignano, Celsi, Cournoyer, Dawson, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 2: Chapman and Feenstra.

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 592, and they were attached to the committee report.

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)

| | |
|--------------------------|-------------------------|
| Courtney DeRonde, Pella | 05/01/2019 – 04/30/2022 |
| Allen Kockler, Nevada | 05/01/2019 – 04/30/2022 |
| Michelle O'Neill, Waukon | 05/01/2019 – 04/30/2022 |

ADMINISTRATIVE SERVICES, DIRECTOR OF THE DEPARTMENT OF (Sec. 8A.102)

| | |
|-----------------------------|---------------------------------------|
| Janet Phipps Burkhead, Adel | 03/01/2019 – Pleasure of the Governor |
|-----------------------------|---------------------------------------|

AGING, COMMISSION ON (Sec. 231.11)

| | |
|------------------------------|-------------------------|
| Carole Dunkin, De Witt | 05/01/2019 – 04/30/2023 |
| Suzanne Heckenlaible, Ankeny | 05/01/2019 – 04/30/2023 |
| Steve Van Oort, Ankeny | 03/01/2019 – 04/30/2020 |

AGRICULTURAL DEVELOPMENT BOARD (Sec. 16.2C)

| | |
|----------------------------|-------------------------|
| Gretchen McLain, Fairfield | 05/01/2019 – 04/25/2025 |
|----------------------------|-------------------------|

ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5)

| | |
|---------------------|-------------------------|
| Gary Nystrom, Boone | 05/01/2019 – 04/30/2024 |
|---------------------|-------------------------|

ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)

| | |
|--------------------------|-------------------------|
| Kolby DeWitt, Sioux City | 05/01/2019 – 04/30/2022 |
| Anna Harmon, Everly | 05/01/2019 – 04/30/2022 |

ATHLETIC TRAINING, BOARD OF (Sec. 147.14(1)(R))

| | |
|----------------------------------|-------------------------|
| John Hollinrake, Ankeny | 02/15/2019 – 04/30/2021 |
| Christopher Kamm, Dubuque | 05/01/2019 – 04/30/2022 |
| Christopher Wiedmann, Des Moines | 05/01/2019 – 04/30/2022 |

AUTISM COUNCIL, IOWA (Sec. 256.35A)

| | |
|---------------------------------|-------------------------|
| Andrew Beer, Marion | 05/01/2019 – 04/30/2022 |
| Nicholos Nopoulos, Des Moines | 05/01/2019 – 04/30/2022 |
| Dr. Matthew O'Brien, Bettendorf | 05/01/2019 – 04/30/2022 |
| Blake Stephenson, Marion | 03/01/2019 – 04/30/2020 |
| Michael Zehr, West Des Moines | 05/01/2019 – 04/30/2022 |

| | |
|--|--|
| BARBERING, BOARD OF (Sec. 147.14(1)(A)) Maureen Hardy, Waterloo | 05/01/2019 – 04/30/2022 |
| BEHAVIORAL SCIENCE, BOARD OF (Sec. 147.14(1)(M)) Echo Kent, Coralville Kerry Lust, Ankeny Dr. Amy Mooney, Ames | 05/01/2019 – 04/30/2022 05/01/2019 – 04/30/2022 05/01/2019 – 04/30/2022 |
| BLIND, COMMISSION FOR THE (Sec. 216B.2) Joseph Van Lent, Des Moines | 05/01/2019 – 04/30/2022 |
| BOILER AND PRESSURE VESSEL BOARD (Sec. 89.14) Susan Oltrogge, Ankeny | 05/01/2019 – 04/30/2023 |
| CHILD ADVOCACY BOARD (Sec. 237.16) Sarah Madojemu, Ankeny Angela Stokes, Sioux City | 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2022 |
| CHIROPRACTIC, BOARD OF (Sec. 147.14(1)(H)) Dr. Jason Wall, Dyersville | 05/01/2019 – 04/30/2022 |
| CITY DEVELOPMENT BOARD (Sec. 368.9) Mari Bunney, West Des Moines MacKenzie O'Hair, Osceola | 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 |
| CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3) Ashley Hunt, Des Moines Angela Jackson, Urbandale Justin Johnston, Sioux City Patricia Lipski, Washington | 02/15/2019 – 04/30/2021 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 |
| COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A) John Murphy, Dubuque | 05/01/2019 – 04/30/2022 |
| CORRECTIONS, BOARD OF (Sec. 904.104) Mark DeJong, Ankeny Dr. Lisa Hill, Johnston Webster Kranto, Des Moines Lawrence Kudej, Swisher | 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 |
| COSMETOLOGY ARTS AND SCIENCES, BOARD OF (Sec. 147.14(1)(N)) Lucas Knight, West Des Moines | 05/01/2019 – 04/30/2022 |
| COUNTY FINANCE COMMITTEE (Sec. 333A.2) Russell Hopp, George Melvyn Houser, Carson Amanda Waske, Tingley | 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 05/01/2019 – 04/30/2023 |
| CREDIT UNIONS, SUPERINTENDENT OF (Sec. 533.104) Katie Averill, Des Moines | 05/01/2019 – 04/30/2023 |

CREDIT UNION REVIEW BOARD (Sec. 533.107)

Tyler Campbell, Des Moines
Scott Zahnle, Ames

05/01/2019 – 04/30/2022
05/01/2019 – 04/30/2022

CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL
(Sec. 216A.132)

Ardyth Slight, Muscatine

03/01/2019 – 04/30/2022

DENTISTRY, BOARD OF (Sec. 147.14(1)(D))

Dr. Gregory Ceraso, Johnston
Dr. Monica Foley, Bettendorf
Dr. Lisa Holst, Des Moines

05/01/2019 – 04/30/2022
05/01/2019 – 04/30/2022
05/01/2019 – 04/30/2022

DIETETICS, BOARD OF (Sec. 147.14(1)(K))

Dr. Julie Eichenberger, Iowa City

05/01/2019 – 04/30/2022

DRUG POLICY ADVISORY COUNCIL, IOWA (Sec. 80E.2)

Warren Hunsberger, Jr., Colfax
Jane Larkin, Ames

05/01/2019 – 04/30/2023
05/01/2019 – 04/30/2023

EARLY CHILDHOOD IOWA STATE BOARD (Sec. 256I.3)

Diane Campbell, Muscatine
Richard Clewell, Davenport
Mayra Martinez, Storm Lake
Zachary Stier, Boone

05/01/2019 – 04/30/2022
05/01/2019 – 04/30/2022
03/01/2019 – 04/30/2021
05/01/2019 – 04/30/2022

ECONOMIC DEVELOPMENT AUTHORITY, DIRECTOR OF THE (Sec. 15.106C)

Deborah (Debi) Durham, Sioux City

05/01/2019 – 04/30/2023

ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105)

Jennifer Cooper, Des Moines
Lisa Hull, Clarinda
Pankaj Monga, Marion
Lisa Shimkat, Fort Dodge
Thomas Townsend, Dubuque

05/01/2019 – 04/30/2023
05/01/2019 – 04/30/2023
03/01/2019 – 04/30/2022
05/01/2019 – 04/30/2023
05/01/2019 – 04/30/2023

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Floyd Athay, Ames
David Harper, Packwood
Phil Hemingway, Iowa City
Mary Johnson, LeClair

03/01/2019 – 04/30/2020
05/01/2019 – 04/30/2023
05/01/2019 – 04/30/2023
05/01/2019 – 04/30/2023

ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Colby Black, Grinnell
John Claeys, Blue Grass
Kathleen Stoppelmoor, Cedar Rapids

05/01/2019 – 04/30/2022
05/01/2019 – 04/30/2022
05/01/2019 – 04/30/2022

ELEVATOR SAFETY BOARD (Sec. 89A.13)

Amy Infelt, Coralville
Marvin Schumacher, Denver

05/01/2019 – 04/30/2023
05/01/2019 – 04/30/2023

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

| | |
|----------------------------|-------------------------|
| Paul Herold, Fort Atkinson | 05/01/2019 – 04/30/2022 |
| Jack Jones, Mondamin | 05/01/2019 – 04/30/2022 |

ENHANCE IOWA BOARD (Sec. 15F.102)

| | |
|-----------------------------|-------------------------|
| Michael Broshar, Buckingham | 05/01/2019 – 04/30/2021 |
| Rita Frahm, Galva | 05/01/2019 – 04/30/2021 |
| Lisa Hein, Ames | 05/01/2019 – 04/30/2021 |
| Valerie Van Kooten, Pella | 05/01/2019 – 04/30/2021 |
| Mary Wells, Rathbun | 05/01/2019 – 04/30/2021 |

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

| | |
|----------------------------|-------------------------|
| Stephanie Dykshorn, Ireton | 05/01/2019 – 04/30/2023 |
| Amy Echard, Farmersburg | 05/01/2019 – 04/30/2023 |
| Tim Kaldenberg, Albia | 05/01/2019 – 04/30/2023 |
| Ralph Lents, Menlo | 05/01/2019 – 04/30/2023 |

FINANCE AUTHORITY, IOWA (Sec. 16.2(1))

| | |
|-------------------------------|-------------------------|
| Steven Dust, Ottumwa | 05/01/2019 – 04/30/2025 |
| Amy Reasner, Cedar Rapids | 05/01/2019 – 04/30/2025 |
| Michael Van Milligen, Dubuque | 05/01/2019 – 04/30/2025 |

GRAIN INDEMNITY FUND BOARD, IOWA (Sec. 203D.4)

| | |
|--------------------------|-------------------------|
| Monica Bieri, Letts | 05/01/2019 – 04/30/2022 |
| Curtis Sindergard, Rolfe | 05/01/2019 – 04/30/2022 |

GREAT PLACES BOARD, IOWA (Sec. 303.3C)

| | |
|---------------------------------|-------------------------|
| Barbara Determan, Early | 05/01/2019 – 04/30/2022 |
| Gregory Fisher, West Des Moines | 05/01/2019 – 04/30/2022 |
| Nick Glew, Marion | 05/01/2019 – 04/30/2022 |
| Jenna Kimberley, Des Moines | 05/01/2019 – 04/30/2022 |

HEALTH FACILITIES COUNCIL (Sec. 135.62)

| | |
|----------------------------|-------------------------|
| Carol Earnhardt, Davenport | 05/01/2019 – 04/30/2025 |
|----------------------------|-------------------------|

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5)

| | |
|-------------------------------|-------------------------|
| Eric Kohlsdorf, Des Moines | 05/01/2019 – 04/30/2021 |
| Dr. Kaaren Vargas, Coralville | 05/01/2019 – 04/30/2021 |

HEARING AID SPECIALISTS, BOARD OF (Sec. 147.14(V))

| | |
|--------------------------|-------------------------|
| Ashley Bahr, Des Moines | 05/01/2019 – 04/30/2022 |
| Molly Parker, Bettendorf | 05/01/2019 – 04/30/2022 |

HUMAN SERVICES, COUNCIL ON (Sec. 217.2)

| | |
|-----------------------------|-------------------------|
| Carol Forristall, Macedonia | 05/01/2019 – 04/30/2025 |
| Rebecca Peterson, Clive | 05/01/2019 – 04/30/2025 |
| Rick Sanders, Nevada | 03/01/2019 – 04/30/2023 |

IPERS, INVESTMENT BOARD OF THE (Sec. 97B.8A)

| | |
|---------------------------|-------------------------|
| Justin Kirchhoff, Gilbert | 05/01/2019 – 04/30/2025 |
| Wayne Walter, Decorah | 05/01/2019 – 04/30/2025 |

INNOVATION CORPORATION, BOARD OF IOWA (Sec. 15.107(4)(A))

Kathryn Kunert, Ankeny

05/01/2019 – 04/30/2023

INSPECTIONS AND APPEALS, DIRECTOR OF THE DEPARTMENT OF
(Sec. 10A.102)

Larry Johnson, West Des Moines

03/01/2019 – Pleasure of the Governor

INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Todd Mithelman, Johnston

05/01/2019 – 04/30/2022

Katherine Stavneak, Des Moines

05/01/2019 – 04/30/2022

LABOR COMMISSIONER (Sec. 91.2)

Rod Roberts, Carroll

03/01/2019 – 04/30/2023

LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Nathan Borland, Clive

05/01/2019 – 04/30/2022

Brenda Nelson, Iowa City

05/01/2019 – 04/30/2022

LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)

Caleb Knutson, Hubbard

03/01/2019 – 04/30/2020

Valerie Nolte, Carlisle

03/01/2019 – 04/30/2020

Gilbert Nunez, Toddville

03/01/2019 – 04/30/2022

LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)

Timothy Carmody, Council Bluffs

05/01/2019 – 04/30/2023

David Lorenzen, Waukee

05/01/2019 – 04/30/2023

LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA (Sec. 99G.8)

Josh Cook, Ankeny

05/01/2019 – 04/30/2023

Mary Rathje, Marion

05/01/2019 – 04/30/2023

MANAGEMENT, DIRECTOR OF THE DEPARTMENT OF (Sec. 8.4)

David Roederer, Johnston

03/01/2019 – Pleasure of the Governor

MASSAGE THERAPY, BOARD OF (Sec. 147.14(1)(Q))

Irene Richards, Belmond

05/01/2019 – 04/30/2022

Catherine Sampson, Des Moines

05/01/2019 – 04/30/2022

LeAnn Stevens, Altoona

05/01/2019 – 04/30/2022

MEDICINE, BOARD OF (Sec. 147.14(1)(B))

Diane Cortese, Urbandale

05/01/2019 – 04/30/2022

Dr. Ronald Kolegraff, Milford

05/01/2019 – 04/30/2022

Dr. Joyce Vista-Wayne, Clive

05/01/2019 – 04/30/2022

Dr. Nikhil Wagle, Bettendorf

05/01/2019 – 04/30/2022

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5(1))

Dr. Joseph Cowley, Davenport

05/01/2019 – 04/30/2022

Teresa Daubitz, Cedar Rapids

05/01/2019 – 04/30/2022

Mary Meyers, Madrid

05/01/2019 – 04/30/2022

Shari O'Bannon, Storm Lake

05/01/2019 – 04/30/2022

Maria Sorensen, Greenfield

05/01/2019 – 04/30/2022

Cory Turner, Cherokee

05/01/2019 – 04/30/2022

MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(2)(C))

| | |
|-----------------------------|-------------------------|
| Kathy Johnson, Cedar Rapids | 03/01/2019 – 04/30/2021 |
| Eugene Meiners, Templeton | 05/01/2019 – 04/30/2022 |
| Cheryl Plank, Eddyville | 03/01/2019 – 04/30/2021 |
| Karla Webb, Roland | 03/01/2019 – 04/30/2020 |

MORTUARY SCIENCE, BOARD OF (Sec. 147.14(1)(P))

| | |
|--------------------------|-------------------------|
| Carl Linge, Cedar Rapids | 05/01/2019 – 04/30/2022 |
| Maria Lundberg, Newton | 05/01/2019 – 04/30/2022 |

NATIVE AMERICAN AFFAIRS, COMMISSION OF (Sec. 216A.162)

| | |
|-------------------------------|-------------------------|
| Vicky Apala-Cuevas, Davenport | 05/01/2019 – 04/30/2023 |
| Patrick Bigsby, Coralville | 03/01/2019 – 04/30/2021 |
| Kelly Montijo Fink, Hiawatha | 05/01/2019 – 04/30/2023 |
| Anthony Waseskuk, Montour | 03/01/2019 – 04/30/2021 |

NATURAL RESOURCE COMMISSION (Sec. 455A.5)

| | |
|-----------------------|-------------------------|
| Marcus Branstad, Adel | 05/01/2019 – 04/30/2025 |
| Laura Foell, Schaller | 05/01/2019 – 04/30/2025 |

NURSING, BOARD OF (Sec. 147.14(1)(C))

| | |
|--------------------------------|-------------------------|
| Dr. Nancy Kramer, Independence | 05/01/2019 – 04/30/2022 |
| Mark Odden, Manchester | 05/01/2019 – 04/30/2022 |

NURSING HOME ADMINISTRATORS, BOARD OF (Sec. 147.14(W))

| | |
|-------------------------------------|-------------------------|
| Penny Cutler-Bermudez, Marshalltown | 05/01/2019 – 04/30/2022 |
| Karol Dammann, Manning | 05/01/2019 – 04/30/2022 |

OPTOMETRY, BOARD OF (Sec. 147.14(1)(F))

| | |
|---------------------------|-------------------------|
| Dr. Thomas Hayden, Newton | 05/01/2019 – 04/30/2022 |
| Tamie Stahl, Cedar Falls | 05/01/2019 – 04/30/2022 |

PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD,
IOWA COMPREHENSIVE (Sec. 455G.4(4))

| | |
|--------------------------|-------------------------|
| Karen Andeweg, Urbandale | 05/01/2019 – 04/30/2023 |
|--------------------------|-------------------------|

PHARMACY, BOARD OF (Sec. 147.14(1)(E))

| | |
|---|-------------------------|
| Dane Nealson, Nevada | 05/01/2019 – 04/30/2022 |
| Joan Skogstrom, Urbandale | 05/01/2019 – 04/30/2022 |
| Dr. Kathryn (Kathy) Stone, Missouri Valley | 05/01/2019 – 04/30/2022 |

PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF (Sec. 147.14(1)(J))

| | |
|------------------------------|-------------------------|
| Stephanie Kelsick, Alleman | 05/01/2019 – 04/30/2022 |
| Jeramy Kuhn, West Des Moines | 05/01/2019 – 04/30/2022 |
| Holly Little, Waverly | 05/01/2019 – 04/30/2022 |

PHYSICIAN ASSISTANTS, BOARD OF (Sec. 147.14(1)(L))

| | |
|---------------------------------|-------------------------|
| Dr. Kevin de Regnier, Winterset | 05/01/2019 – 04/30/2022 |
| Laura Delaney, Ankeny | 05/01/2019 – 04/30/2022 |

| | |
|-------------------------|-------------------------|
| Melissa Gentry, Ollie | 05/01/2019 – 04/30/2022 |
| Michael Schnurr, Roland | 05/01/2019 – 04/30/2022 |

PLUMBING AND MECHANICAL SYSTEMS BOARD (Sec. 105.3)

| | |
|---------------------------|-------------------------|
| Rick Coffman, Cedar Falls | 05/01/2019 – 04/30/2022 |
| Robert Kunkel, Clarence | 05/01/2019 – 04/30/2022 |
| Matthew Wyant, Crescent | 05/01/2019 – 04/30/2022 |

PODIATRY, BOARD OF (Sec. 147.14(1)(S))

| | |
|---------------------------------|-------------------------|
| Dr. Theresa Hughes, Dubuque | 05/01/2019 – 04/30/2022 |
| Dr. Eugene Nassif, Cedar Rapids | 05/01/2019 – 04/30/2022 |
| Dr. Mindy Trotter, Garrison | 05/01/2019 – 04/30/2022 |

PROPERTY ASSESSMENT APPEAL BOARD, CHAIR OF THE (Sec. 421.1A(2))

| | |
|-------------------------------|-------------------------|
| Elizabeth Goodman, Des Moines | 05/01/2019 – 04/30/2021 |
|-------------------------------|-------------------------|

PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)

| | |
|-------------------------------|-------------------------|
| Elizabeth Goodman, Des Moines | 05/01/2019 – 04/30/2025 |
| Dennis Loll, Norwalk | 02/15/2019 – 04/30/2023 |

PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(G))

| | |
|-----------------------------|-------------------------|
| Justin Rhode, Des Moines | 05/01/2019 – 04/30/2022 |
| Dr. Lisa Streiffeler, Clive | 05/01/2019 – 04/30/2022 |

PUBLIC DEFENDER, STATE (Sec. 13B.2)

| | |
|------------------------|---------------------------------------|
| Jeffery Wright, Ankeny | 03/01/2019 – Pleasure of the Governor |
|------------------------|---------------------------------------|

PUBLIC HEALTH, DIRECTOR OF (Sec. 135.2)

| | |
|-------------------------|---------------------------------------|
| Gerd Clabaugh, Johnston | 03/01/2019 – Pleasure of the Governor |
|-------------------------|---------------------------------------|

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

| | |
|---------------------------------------|-------------------------|
| Vernon (Fred) Greder, Jr., Mason City | 05/01/2019 – 04/30/2022 |
|---------------------------------------|-------------------------|

REAL ESTATE COMMISSION (Sec. 543B.8)

| | |
|--------------------------|-------------------------|
| Twee Duong, Des Moines | 05/01/2019 – 04/30/2021 |
| Dennis Stolk, Bettendorf | 05/01/2019 – 04/30/2022 |

REGENTS, STATE BOARD OF (Sec. 262.1)

| | |
|--------------------------------|-------------------------|
| David Barker, Iowa City | 05/01/2019 – 04/30/2025 |
| Milt Dakovich, Waterloo | 05/01/2019 – 04/30/2025 |
| Frederick Lindenmayer, Ottumwa | 05/01/2019 – 04/30/2025 |

RENEWABLE FUEL INFRASTRUCTURE BOARD (Sec. 159A.13)

| | |
|--------------------------|-------------------------|
| Mark Cobb, Brighton | 05/01/2019 – 04/30/2024 |
| Gary Langbein, Sac City | 05/01/2019 – 04/30/2024 |
| Brian Wiegert, Winterset | 05/01/2019 – 04/30/2024 |

RESPIRATORY CARE, BOARD OF (Sec. 147.14(1)(O))

| | |
|----------------------------|-------------------------|
| Brandon Butters, Ankeny | 05/01/2019 – 04/30/2022 |
| Jennifer Finney, Urbandale | 05/01/2019 – 04/30/2021 |

REVENUE, DIRECTOR OF (Sec. 421.2)

Kraig Paulsen, Kelley

02/25/2019 – Pleasure of the Governor

SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Mary Martha Bruckner, Council Bluffs

05/01/2019 – 04/30/2022

Leland Tack, Johnston

05/01/2019 – 04/30/2022

SIGN LANGUAGE INTERPRETERS AND transliterators, BOARD OF
(Sec. 147.14(1)(U))

Amanda Gallant, Des Moines

05/01/2019 – 04/30/2022

Susan Tyrrell, Cedar Rapids

05/01/2019 – 04/30/2022

SOCIAL WORK, BOARD OF (Sec. 147.14(1)(T))

Amy Courneya, Ames

05/01/2019 – 04/30/2022

Tony Raymer, Des Moines

05/01/2019 – 04/30/2022

Jody Weigel, Hiawatha

05/01/2019 – 04/30/2022

SOIL CONSERVATION COMMITTEE, STATE (Sec. 161A.4)

Paula Ellis, Donnellson

05/01/2019 – 04/30/2025

Colleen Miller, Albert City

05/01/2019 – 04/30/2025

Patricia Ruff, McGregor

03/01/2019 – 04/30/2023

SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF (Sec. 147.14(1)(I))

Ashley Bahr, Des Moines

05/01/2019 – 04/30/2022

Karen Bryant, Parnell

05/01/2019 – 04/30/2022

STATE-FEDERAL RELATIONS, DIRECTOR OF OFFICE FOR (Sec. 7F.1(3))

Stephanie Groen, West Des Moines

01/03/2019 – Pleasure of the Governor

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, CHAIRPERSON
OF THE IOWA (Sec. 8D.3(2)(A)(1))

Barb Kniff-McCulla, Pella

05/01/2019 – 04/30/2025

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA (Sec.
8D.3(2))

Barb Kniff-McCulla, Pella

05/01/2019 – 04/30/2025

TITLE GUARANTY DIVISION BOARD (Sec. 16.2A)

Daniel Seufferlein, Cedar Rapids

05/01/2019 – 04/30/2025

TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

Teresa Aoki, Clive

03/01/2019 – 04/30/2020

Lorene Mein, Ankeny

05/01/2019 – 04/30/2022

Robert Nichols, Waterloo

05/01/2019 – 04/30/2022

Michele Sandquist, Adel

05/01/2019 – 04/30/2022

TRANSPORTATION COMMISSION, STATE (Sec. 307A.1A)

Jason Gordon, Davenport

07/01/2019 – 06/30/2023

Linda Juckette, Cumming

03/01/2019 – 06/30/2022

UTILITIES BOARD, CHAIR OF THE (Sec. 474.1(2))

Geri Huser, Altoona

05/01/2019 – 04/30/2021

UTILITIES BOARD (Sec. 474.1(1))

Nick Wagner, Marion

05/01/2019 – 04/30/2025

VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

Charles Connors, Urbandale

02/15/2019 – 04/30/2022

Orene Cressler, Fonda

05/01/2019 – 04/30/2023

Steven Hyde, Marshalltown

05/01/2019 – 04/30/2023

Kenneth Lloyd, Union

05/01/2019 – 04/30/2023

Darlene McMartin, Hancock

05/01/2019 – 04/30/2023

Gregory Paulline, Davenport

05/01/2019 – 04/30/2023

VETERINARY MEDICINE, IOWA BOARD OF (Sec. 169.5)

Dr. Dewayne Rahe, Dyersville

05/01/2019 – 04/30/2022

WORKFORCE DEVELOPMENT, DIRECTOR OF (Sec. 84A.1)

Beth Townsend, Granger

03/01/2019 – Pleasure of the Governor

WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A)

Quentin Hart, Waterloo

05/01/2019 – 04/30/2023

John (Jack) Hasken, Dubuque

05/01/2019 – 04/30/2023

Amy Larsen, Waterloo

05/01/2019 – 04/30/2023

Andrew Roberts, Urbandale

05/01/2019 – 04/30/2023

LuAnn Scholbrock, Lake Mills

05/01/2019 – 04/30/2023

BY THE ATTORNEY GENERALTERM

CONSUMER ADVOCATE (Sec. 475A.1(1))

Mark Schuling, Des Moines

05/01/2019 – 04/30/2023

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 11, 2019:

AGRICULTURE

Gretchen McLain – Agricultural Development Board

Monica Bieri – Grain Indemnity Fund Board, Iowa

Curtis Sindergard – Grain Indemnity Fund Board, Iowa

Paula Ellis – Soil Conservation Committee, State
Colleen Miller – Soil Conservation Committee, State
Patricia Ruff – Soil Conservation Committee, State

APPROPRIATIONS

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

COMMERCE

Mark Schuling – Consumer Advocate

Katie Averill – Superintendent of Credit Unions

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

Steven Dust – Iowa Finance Authority
Amy Reasner – Iowa Finance Authority
Michael Van Milligen – Iowa Finance Authority

Barb Kniff-McCulla – Chairperson of Telecommunications and Technology Commission

Barb Kniff-McCulla – Telecommunications and Technology Commission

Daniel Seufferlein – Title Guaranty Division Board

Geri Huser – Chair of the Utilities Board
Nick Wagner – Utilities Board

EDUCATION

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

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

Floyd Athay – Board of Educational Examiners
David Harper – Board of Educational Examiners
Phil Hemingway – Board of Educational Examiners
Mary Johnson – Board of Educational Examiners

David Barker – State Board of Regents
Milt Dakovich – State Board of Regents
Frederick Lindenmayer – State Board of Regents

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

HUMAN RESOURCES

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

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

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

Sarah Madojemu – Child Advocacy Board
Angela Stokes – Child Advocacy Board

Carol Earnhardt – Health Facilities Council

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

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

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

Dr. Joseph Cowley – Mental Health and Disability Services Commission
Teresa Daubitz – Mental Health and Disability Services Commission
Mary Meyers – Mental Health and Disability Services Commission
Shari O'Bannon – Mental Health and Disability Services Commission
Maria Sorensen – Mental Health and Disability Services Commission
Cory Turner – Mental Health and Disability Services Commission

Gerd Clabaugh – Director of Public Health

Amanda Gallant – Board of Sign Language Interpreters and Translitterators
Susan Tyrrell – Board of Sign Language Interpreters and Translitterators

Teresa Aoki – Commission on Tobacco Use Prevention and Control
Lorene Mein – Commission on Tobacco Use Prevention and Control
Robert Nichols – Commission on Tobacco Use Prevention and Control
Michele Sandquist – Commission on Tobacco Use Prevention and Control

JUDICIARY

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

Mark DeJong – Board of Corrections
Dr. Lisa Hill – Board of Corrections
Webster Kranto – Board of Corrections
Lawrence Kudej – Board of Corrections

Ardyth Slight – Criminal and Juvenile Justice Planning Advisory Council

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

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

Jeffery Wright – State Public Defender

LABOR AND BUSINESS RELATIONS

Kathryn Kunert – Board of Iowa Innovation Corporation

Rod Roberts – Labor Commissioner
Rick Coffman – Plumbing and Mechanical Systems Board
Robert Kunkel – Plumbing and Mechanical Systems Board
Matthew Wyant – Plumbing and Mechanical Systems Board

Beth Townsend – Director of Workforce Development Board

Quentin Hart – Iowa Workforce Development Board
John (Jack) Hasken – Iowa Workforce Development Board
Amy Larsen – Iowa Workforce Development Board
Andrew Roberts – Iowa Workforce Development Board
LuAnn Scholbrock – Iowa Workforce Development Board

LOCAL GOVERNMENT

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

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

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

Elizabeth Goodman – Chair of the Property Assessment Appeal Board

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

NATURAL RESOURCES AND ENVIRONMENT

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

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

Karen Andeweg – Iowa Comprehensive Petroleum Underground Storage Tank
Fund Board

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

STATE GOVERNMENT

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

Janet Phipps Burkhead – Director of the Department of Administrative Services

Gary Nystrom – Alcoholic Beverages Commission

Kolby DeWitt – Architectural Examining Board
Anna Harmon – Architectural Examining Board

Maureen Hardy – Board of Barbering

Joseph Van Lent – Commission for the Blind

Susan Oltrogge – Boiler and Pressure Vessel Board

Dr. Jason Wall – Board of Chiropractic

John Murphy – Commission on Community Action Agencies

Lucas Knight – Board of Cosmetology Arts and Sciences

Dr. Gregory Ceraso – Board of Dentistry

Dr. Monica Foley – Board of Dentistry

Dr. Lisa Holst – Board of Dentistry

Dr. Julie Eichenberger – Board of Dietetics

Colby Black – Electrical Examining Board

John Claeys – Electrical Examining Board

Kathleen Stoppelmoor – Electrical Examining Board

Amy Infelt – Elevator Safety Board

Marvin Schumacher – Elevator Safety Board

Paul Herold – Engineering and Land Surveying Examining Board

Jack Jones – Engineering and Land Surveying Examining Board

Ashley Bahr – Board of Hearing Aid Specialists

Molly Parker – Board of Hearing Aid Specialists

Larry Johnson – Director of the Department of Inspections and Appeals

Todd Mithelman – Interior Design Examining Board

Katherine Stavneak – Interior Design Examining Board

Justin Kirchhoff – Investment Board of the IPERS

Wayne Walter – Investment Board of the IPERS

Nathan Borland – Landscape Architectural Examining Board

Brenda Nelson – Landscape Architectural Examining Board

Josh Cook – Iowa Lottery Authority Board of Directors

Mary Rathje – Iowa Lottery Authority Board of Directors

David Roederer – Director of the Department of Management

Irene Richards – Board of Massage Therapy

Catherine Sampson – Board of Massage Therapy

LeAnn Stevens – Board of Massage Therapy

Diane Cortese – Board of Medicine

Dr. Ronald Kolegraff – Board of Medicine

Dr. Joyce Vista-Wayne – Board of Medicine

Dr. Nikhil Wagle – Board of Medicine

Carl Linge – Board of Mortuary Science

Maria Lundberg – Board of Mortuary Science

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

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

Penny Cutler-Bermudez – Board of Nursing Home Administrators
Karol Dammann – Board of Nursing Home Administrators

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

Dane Nealson – Board of Pharmacy
Joan Skogstrom – Board of Pharmacy
Dr. Kathryn (Kathy) Stone – Board of Pharmacy

Stephanie Kelsick – Board of Physical and Occupational Therapy
Jeremy Kuhn – Board of Physical and Occupational Therapy
Holly Little – Board of Physical and Occupational Therapy

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

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

Justin Rhode – Board of Psychology
Dr. Lisa Streiffeler – Board of Psychology

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

Twee Duong – Real Estate Commission
Dennis Stolk – Real Estate Commission

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

Amy Courneya – Board of Social Work
Tony Raymer – Board of Social Work
Jody Weigel – Board of Social Work

Ashley Bahr – Board of Speech Pathology and Audiology
Karen Bryant – Board of Speech Pathology and Audiology

Stephanie Groen – Director of Office for State-Federal Relations

Dr. Dewayne Rahe – Iowa Board of Veterinary Medicine

TRANSPORTATION

Linda Juckette – State Transportation Commission

VETERANS AFFAIRS

Charles Connors – Commission of Veterans Affairs

Orene Cressler – Commission of Veterans Affairs

Steven Hyde – Commission of Veterans Affairs

Kenneth Lloyd – Commission of Veterans Affairs

Darlene McMartin – Commission of Veterans Affairs

Gregory Paulline – Commission of Veterans Affairs

WAYS AND MEANS

Deborah (Debi) Durham – Director of the Economic Development Authority

Jennifer Cooper – Economic Development Authority

Lisa Hull – Economic Development Authority

Pankaj Monga – Economic Development Authority

Lisa Shimkat – Economic Development Authority

Thomas Townsend – Economic Development Authority

Barbara Determan – Iowa Great Places Board

Gregory Fisher – Iowa Great Places Board

Nick Glew – Iowa Great Places Board

Jenna Kimberley – Iowa Great Places Board

Kraig Paulsen – Director of Revenue

**WITHDRAWAL OF
GOVERNOR'S APPOINTEES**

The following letters from the Governor were received in the office of the Secretary of the Senate on March 1, 2019:

I am withdrawing the name of Allen Kockler to serve as a member of the Accountancy Examining Board from further consideration by the Senate.

I am withdrawing the name of Jason Gordon to serve as a member of the Transportation Commission 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, 2019:

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for the Director of the Iowa Civil Rights Commission, formerly held by Kristin Johnson. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

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

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for the Iowa Chief Information Officer, formerly held by Robert von Wolfradt. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for the Director of the Iowa Department of Natural Resources, formerly held by Chuck Gipp. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

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

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

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Accountancy Examining Board, formerly held by Allen Kockler. 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 Boiler and Pressure Vessel Board, formerly held by Keith Tager. 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 Community Action Agencies, formerly held by Joyce Hoepker. 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 Community Action Agencies, formerly held by Melissa Thompson. 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 Credit Union Review Board, formerly held by Karyn Finn. 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 Deaf Services, formerly held by Nathaniel Garrels. 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 Deaf Services, formerly held by Mary Dyer. 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 Connie Schmett. 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 Phyllis Hansell. 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 Judicial Qualifications, formerly held by Sandra Blodgett. 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 Iowa Law Enforcement Academy Council, formerly held by Nancy Bodnar. 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, 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 Board of Medicine, formerly held by Katherine Asjes. 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 Marilyn Seeman. 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 Heidi Burhans. 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 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 Commission of 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 Commission of 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 Board of Nursing, formerly held by Patrick Mooney. 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 State Racing and Gaming Commission, formerly held by Richard Arnold. 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 Real Estate Appraiser Examining Board, formerly held by Robert Felderman. 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 Renewable Fuel Infrastructure Board, formerly held by Carol Balvanz. 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 Telecommunications and Technology Commission, formerly held by Dawn Humburg. 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 Title Guaranty Division Board, formerly held by Patricia Schneider. 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 Transportation Commission, formerly held by Jason Gordon. 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 Workforce Development, formerly held by Philip Tuning. 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

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------|
| S-3014 | S.F. | 447 | Jake Chapman |
| S-3015 | S.F. | 274 | Amy Sinclair |
| S-3016 | S.F. | 457 | Dan Dawson |
| S-3017 | S.F. | 538 | Jeff Edler |
| S-3018 | S.F. | 509 | Zach Nunn |
| S-3019 | S.F. | 274 | Zach Wahls |

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 12, 2019

The Senate met in regular session at 9:05 a.m., President Schneider presiding.

Prayer was offered by Pastor Bob Dodge of the United Methodist Church in Britt, Iowa. He was the guest of Senator Guth.

Miss Iowa 2018 Mikhayla Hughes-Shaw played America the Beautiful on the violin. She was the guest of Senator Cournoyer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Seth Fiala.

The Journal of Monday, March 11, 2019, was approved.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 485 and 520** were referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38; and **Senate Files 138, 488, 547, and 554** were referred from the Regular Calendar to the committee on **Appropriations**.

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 11, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 113, a bill for an act allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

Senate File 220, a bill for an act relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, and including effective date and retroactive applicability provisions.

ALSO: That the House has on March 11, 2019, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 17, 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 March 11, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 263, a bill for an act relating to application fees for certain consumer loans.

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

House File 426, a bill for an act relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies.

Read first time and attached to **similar Senate File 331**.

House File 482, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions.

Read first time and attached to **similar Senate File 429**.

House File 487, a bill for an act related to installations of certain wireless telecommunications infrastructure in the state, and including effective date provisions.

Read first time and attached to **companion Senate File 560**.

House File 594, a bill for an act relating to limitations regarding the withdrawal of a life-sustaining procedure from a minor child.

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

ALSO: That the House has on March 11, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 10, a concurrent resolution recognizing the importance of multilateral trade agreements to Iowa's economy and urging Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico.

Read first time and attached to **companion Senate Concurrent Resolution 7**.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:15 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 237.

Senate File 237

On motion of Senator Garrett, **Senate File 237**, a bill for an act relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **Senate File 237** be **deferred**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Frederick Lindenmayer as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 4, 2019, found on page 460 of the Senate Journal.

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

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

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 Stephan Bayens as Commissioner of Public Safety, placed on the Individual Confirmation Calendar on March 4, 2019, found on page 460 of the Senate Journal.

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

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

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 Debi Durham as a member of the Executive Director of the Iowa Finance Authority, placed on the Individual Confirmation Calendar on March 5, 2019, found on page 474 of the Senate Journal.

Senator R. Smith moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 44:

| | | | |
|-----------|-----------|--------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 5:

| | | | |
|------------|------|-----------|------------|
| Celsi | Hogg | Quirmbach | Taylor, R. |
| Taylor, T. | | | |

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 Matt Strawn as Chief Executive Officer of the Iowa Lottery Authority, placed on the Individual Confirmation Calendar on February 26, 2019, found on page 412 of the Senate Journal.

Senator R. Smith moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |

| | | | |
|--------------|-----------|------------|------------|
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, 1:

Zaun

Absent, none.

Vacant, 1.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 519.

Senate File 519

On motion of Senator Rozenboom, **Senate File 519**, a bill for an act relating to an offense involving trespass to agricultural production facilities, providing penalties, and including effective date provisions, 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. 519), the vote was:

Yeas, 41:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Bisignano | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |

| | | | |
|-----------|-----------|------------|------------|
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 8:

| | | | |
|---------|--------|----------|-----------|
| Bolkcom | Celsi | Hogg | Jochum |
| Lykam | Mathis | Petersen | 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.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 519** 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 197, 272, and 280.

Senate File 197

On motion of Senator Shipley, **Senate File 197**, a bill for an act allowing certain vans and pickups to be used to transport pupils to activity events or from school to home in emergency situations, 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. 197), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |

| | | | |
|--------------|-----------|------------|------------|
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 272

On motion of Senator Nunn, **Senate File 272**, a bill for an act relating to the provision of debt management services in connection with educational loans, and making penalties applicable, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 272), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 280

On motion of Senator Cournoyer, **Senate File 280**, a bill for an act relating to the residency of members of the armed forces stationed at specified military installations for purposes of hunting, fishing, and trapping privileges, was taken up for consideration.

Senator Cournoyer 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. 280), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 197, 272, and 280** 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 140, 316, and 319.

Senate File 140

On motion of Senator Rozenboom, **Senate File 140**, a bill for an act relating to special minor's driver's licenses for students attending accredited nonpublic schools, 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. 140), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 3:

| | | |
|-------|-----------|-----------|
| Celsi | Quirmbach | Smith, J. |
|-------|-----------|-----------|

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 316

On motion of Senator Cournoyer, **Senate File 316**, a bill for an act requesting the establishment of a special education interim study committee, was taken up for consideration.

Senator Cournoyer 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. 316), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 319

On motion of Senator Rozenboom, **Senate File 319**, a bill for an act relating to peace officers and retired peace officers who provide street or highway driving instruction, 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. 319), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 323

On motion of Senator Johnson, **Senate File 323**, a bill for an act relating to canned cocktails and including effective date provisions, was taken up for consideration.

Senator 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. 323), the vote was:

Yeas, 45:

| | | | |
|--------------|-----------|----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Chapman |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |

| | | | |
|-----------|-----------|------------|------------|
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 4:

| | | | |
|-------|----------|------|------|
| Celsi | Costello | Guth | Hogg |
|-------|----------|------|------|

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 140, 316, 319, and 323** 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 344, 346, and 377.

Senate File 344

On motion of Senator Shipley, **Senate File 344**, a bill for an act relating to excuse from jury service for persons at least seventy-two years of age, 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. 344), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Elder | Feenstra | Garrett |

| | | | |
|--------------|-----------|------------|------------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 346

On motion of Senator Sinclair, **Senate File 346**, a bill for an act creating the criminal offense of female genital mutilation and providing penalties, was taken up for consideration.

Senator Sinclair offered amendment S-3022, filed by her from the floor to page 1 of the bill.

Senator Chapman offered amendment S-3023, filed by him from the floor to page 1 of amendment S-3022, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3023 to amendment S-3022 be adopted?" (S.F. 346), the vote was:

Yeas, 48:

| | | | |
|-----------|-----------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |

Shipley
Sweeney
Whiting

Sinclair
Taylor, R.
Whitver

Smith, J.
Taylor, T.
Zaun

Smith, R.
Wahls
Zumbach

Nays, 1:

Hogg

Absent, none.

Vacant, 1.

Amendment S–3023 to amendment S–3022 was adopted.

Senator Sinclair moved the adoption of amendment S–3022, as amended.

Amendment S–3022, as amended, was adopted by a voice vote.

Senator Petersen offered amendment S–3024, filed by her from the floor to page 1 of the bill.

Senator Sinclair raised the point of order that amendment S–3024 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3024 out of order.

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. 346), the vote was:

Yeas, 49:

Behn
Breitbach
Chapman
Dotzler
Greene
Johnson
Kraayenbrink
Miller-Meeks
Ragan
Segebart

Bisignano
Brown
Costello
Edler
Guth
Kapucian
Lofgren
Nunn
Rozenboom
Sinclair

Bolkcom
Carlin
Cournoyer
Feenstra
Hogg
Kinney
Lykam
Petersen
Schneider
Sinclair

Boulton
Celsi
Dawson
Garrett
Jochum
Koelker
Mathis
Quirmbach
Schultz
Smith, J.

Smith, R.
Wahls
Zumbach

Sweeney
Whiting

Taylor, R.
Whitver

Taylor, T.
Zaun

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 377

On motion of Senator Schultz, **Senate File 377**, a bill for an act extending immunity from tort liability to certain nonprofit corporations providing emergency response services, 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. 377), the vote was:

Yeas, 49:

Behn
Breitbach
Chapman
Dotzler
Greene
Johnson
Kraayenbrink
Miller-Meeks
Ragan
Segebart
Smith, R.
Wahls
Zumbach

Bisignano
Brown
Costello
Edler
Guth
Kapucian
Lofgren
Nunn
Rozenboom
Shipley
Sweeney
Whiting

Bolkcom
Carlin
Cournoyer
Feenstra
Hogg
Kinney
Lykam
Petersen
Schneider
Sinclair
Taylor, R.
Whitver

Boulton
Celsi
Dawson
Garrett
Jochum
Koelker
Mathis
Quirmbach
Schultz
Smith, J.
Taylor, T.
Zaun

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 Files 344, 346, and 377** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:11 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 2:55 p.m., President Schneider presiding.

BUSINESS PENDING

Senate File 237

The Senate resumed consideration of **Senate File 237**, a bill for an act relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions, previously deferred.

Senator Hogg offered amendment S-3025, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3025 be adopted?” (S.F. 237), the vote was:

Yeas, 17:

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

Nays, 32:

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

Absent, none.

Vacant, 1.

Amendment S–3025 lost.

Senator Dawson offered amendment S–3020, filed by him from the floor to pages 2, 4–15, 17, 18, 21, and 24 of the bill.

Senator Hogg offered amendment S–3026, filed by him from the floor to page 10 of amendment S–3020, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3026 to amendment S–3020 be adopted?” (S.F. 237), the vote was:

Yeas, 17:

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

Nays, 32:

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

Absent, none.

Vacant, 1.

Amendment S-3026 to amendment S-3020 lost.

Senator Dawson moved the adoption of amendment S-3020.

A nonrecord roll call was requested.

Amendment S-3020 was adopted.

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. 237), the vote was:

Yeas, 32:

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

Nays, 17:

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

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 MESSAGES RECEIVED

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, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 367, a bill for an act eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

Senate File 519, a bill for an act relating to an offense involving trespass to agricultural production facilities, providing penalties, and including effective date provisions.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 237** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:54 p.m. until 9:00 a.m., Wednesday, March 13, 2019.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Steve Lacy, Executive Chairman of Meredith Corporation—For his contributions to our state, his devotion to our community, and his outstanding management of Meredith Corporation. Senator Nunn.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 12, 2019, 1:15 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Presentation by Secretary of Agriculture, Mike Naig.

Adjourned: 1:55 p.m.

WAYS AND MEANS

Convened: Tuesday, March 12, 2019, 2:05 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SSB 1114, as amended, passed unanimously by short form vote. Presentation by Department of Revenue Director Kraig Paulsen.

Adjourned: 2:40 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 9, by Nunn, Edler, Kapucian, Johnson, Dotzler, Kinney, and Behn, 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**.

Senate Resolution 10, by Nunn, a resolution for honoring the peaceful kinship between the peoples of Japan and the United States and recognizing March 14, 2019, as Japan Day at the Iowa State Capitol.

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

INTRODUCTION OF BILLS

Senate File 593, by Sweeney, a bill for an act relating to the exclusion from the individual income tax of certain net capital gains from the sale of real property used in a business, and including applicability provisions.

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

Senate File 594, by committee on Judiciary, a bill for an act relating to postconviction DNA profiling procedure.

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

Senate File 595, by committee on Commerce, a bill for an act modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 445

APPROPRIATIONS: Breitbach, Chair; Celsi and Kraayenbrink

Senate File 485

WAYS AND MEANS: Dawson, Chair; Dotzler and Edler

Senate File 491

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Hogg and Kapucian

Senate File 492

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Hogg and Kapucian

Senate File 520

WAYS AND MEANS: Feenstra, Chair; Dawson and J. Smith

Senate File 593

WAYS AND MEANS: Sweeney, Chair; R. Smith and Wahls

House File 594

JUDICIARY: Schultz, Chair; Bisignano and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 595 (SSB 1223), a bill for an act modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. 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 Commerce Committee on Senate File 595, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 594 (SSB 1136), a bill for an act relating to postconviction DNA profiling procedure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 594, 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 12, 2019:

I am withdrawing the name of Kathryn Kunert to serve as a member of the Iowa Innovation Corporation 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 12, 2019:

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

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

| | | | |
|--------|------|-----|----------------|
| S-3020 | S.F. | 237 | Dan Dawson |
| S-3021 | S.F. | 533 | Jake Chapman |
| S-3022 | S.F. | 346 | Amy Sinclair |
| S-3023 | S.F. | 346 | Jake Chapman |
| S-3024 | S.F. | 346 | Janet Petersen |
| S-3025 | S.F. | 237 | Robert M. Hogg |
| S-3026 | S.F. | 237 | Robert M. Hogg |
| S-3027 | S.F. | 331 | Jake Chapman |
| S-3028 | H.F. | 426 | Jake Chapman |

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 13, 2019

The Senate met in regular session at 9:04 a.m., President Schneider presiding.

Prayer was sung by Tiyana Rogers from West Fork School in Rockwell, Iowa. She sang “Hallelujah”. She was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kate Hapgood.

The Journal of Tuesday, March 12, 2019, was approved.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 413 and 543** were referred from the Regular Calendar to the committee on **Ways and Means** 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 12, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 327, a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions.

Read first time and attached to **companion Senate File 510**.

House File 338, a bill for an act relating to claiming the adoption tax credit for qualified adoption expenses paid or incurred during a tax year and including retroactive applicability provisions.

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

House File 345, a bill for an act relating to defective motorcycles and autocycles purchased or leased by consumers, making penalties applicable, and including applicability provisions.

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

House File 386, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status.

Read first time and referred to committee on **Veterans Affairs**.

House File 387, a bill for an act relating to distance requirements for certain motor vehicles following other vehicles.

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

House File 389, 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 and referred to committee on **Transportation**.

House File 392, a bill for an act relating to competitive bidding requirements applicable to certain governmental officials and employees.

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

House File 393, a bill for an act relating to the reporting of certain gifts and bequests received by the executive branch.

Read first time and attached to **similar Senate File 446**.

House File 485, a bill for an act concerning state purchasing requirements relating to targeted small business procurement goals.

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

House File 532, a bill for an act relating to the awarding of medical residency positions in the state.

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

House File 570, a bill for an act relating to the brain injury home and community-based services waiver monthly budget maximum.

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

House File 595, a bill for an act related to allowable annual salaries for deputy county auditors in charge of elections administration.

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

House File 606, a bill for an act relating to continuing education requirements for certain professions.

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

House File 623, a bill for an act relating to prior authorization for medication-assisted treatment under the Medicaid program.

Read first time and attached to **companion Senate File 565**.

House File 642, a bill for an act relating to the release of certain confidential information by the department of human services to multidisciplinary teams and making penalties applicable.

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

RECESS

On motion of Senator Whitver, the Senate recessed at 9:09 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:12 a.m., President Schneider presiding.

SPECIAL GUESTS

Senator Nunn introduced to the Senate chamber Director-General Eric Huang from Taipei Economic and Cultural Office in Chicago.

Director-General Eric Huang addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

Senator Whiting introduced Emmetsburg's 2019 Miss Shamrock, Annie Brennan, a junior at Emmetsburg High School; and Mary Butler, TD, member of the Irish Oireachtas.

Mary Butler addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:45 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:12 a.m., President Schneider presiding.

QUORUM CALL

Senator Brown requested a nonrecord roll call to determine that a quorum was present.

The Chair declared a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator T. Taylor, until he arrives, on request of Senator Petersen.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 188, 305, 331, and 484.

Senate File 188

On motion of Senator Sinclair, **Senate File 188**, a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university, 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. 188), the vote was:

Yeas, 39:

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

Nays, 9:

Bolkcom
Mathis
Wahls

Celsi
Petersen

Hogg
Quirmbach

Jochum
Smith, J.

Absent, 1:

Taylor, T.

Vacant, 1.

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

Senate File 305

On motion of Senator Schultz, **Senate File 305**, a bill for an act relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that action on **Senate File 305** be **deferred**.

Senate File 331

On motion of Senator Chapman, **Senate File 331**, a bill for an act relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies, was taken up for consideration.

Senator Chapman offered amendment S–3027, filed by him on March 12, 2019, to page 1 of the bill, and moved its adoption.

Amendment S–3027 was adopted by a voice vote.

Senator Chapman asked and received unanimous consent that **House File 426** be **substituted** for **Senate File 331**.

House File 426

On motion of Senator Chapman, **House File 426**, a bill for an act relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies, was taken up for consideration.

Senator Chapman offered amendment S-3028, filed by him on March 12, 2019, to page 1 of the bill.

Senator Boulton asked and received unanimous consent that action on amendment S-3028 and **House File 426** be **deferred**.

Senate File 484

On motion of Senator Schultz, **Senate File 484**, a bill for an act relating to electronic benefits transfer cards under the food assistance program and making penalties applicable, 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. 484), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Taylor, T.

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 188 and 484** 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 536, 537, and 534.

Senate File 536

On motion of Senator Miller-Meeks, **Senate File 536**, a bill for an act relating to telepharmacy licensing requirements, was taken up for consideration.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 536), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |

| | | | |
|-----------|---------|------------|-----------|
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Taylor, T.

Vacant, 1.

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

Senate File 537

On motion of Senator Segebart, **Senate File 537**, a bill for an act relating to taking coyotes while using an artificial source of light, was taken up for consideration.

Senator Boulton offered amendment S-3031, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3031 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. 537), the vote was:

Yeas, 47:

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

Nays, 1:

Celsi

Absent, 1:

Taylor, T.

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 13, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 265, a bill for an act relating to the confidentiality of search warrant information.

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

House File 303, a bill for an act relating to a statewide welcome center program.

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

House File 422, a bill for an act relating to the provision of health care services via telehealth for the civil commitment unit for sexual offenders.

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

House File 668, a bill for an act concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages.

Read first time and attached to **similar Senate File 533**.

Senate File 534

On motion of Senator Brown, **Senate File 534**, a bill for an act relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials, 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. 534), the vote was:

Yeas, 45:

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

Nays, 3:

| | | |
|-------|------|------------|
| Celsi | Hogg | Taylor, R. |
|-------|------|------------|

Absent, 1:

Taylor, T.

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 534, 536, and 537** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 7.

Senate Concurrent Resolution 7

On motion of Senator Zumbach, **Senate Concurrent Resolution 7**, recognizing the importance of multilateral trade agreements to Iowa's economy and urging Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico, with report of committee recommending passage, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that **House Concurrent Resolution 10** be **substituted** for **Senate Concurrent Resolution 7**.

House Concurrent Resolution 10

On motion of Senator Zumbach, **House Concurrent Resolution 10**, recognizing the importance of multilateral trade agreements to Iowa's economy and urging Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico, was taken up for consideration.

Senator Zumbach moved the adoption of House Concurrent Resolution 10, which motion prevailed by a voice vote.

WITHDRAWN

Senator Zumbach asked and received unanimous consent that **Senate Concurrent Resolution 7** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Concurrent Resolution 10** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 533.

Senate File 533

On motion of Senator Chapman, **Senate File 533**, a bill for an act concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages, was taken up for consideration.

Senator Chapman offered amendment S-3021, filed by him on March 12, 2019, to pages 1-3 of the bill, and moved its adoption.

Amendment S-3021 was adopted by a voice vote.

Senator Chapman asked and received unanimous consent that **House File 668** be **substituted** for **Senate File 533**.

House File 668

On motion of Senator Chapman, **House File 668**, a bill for an act concerning alcoholic beverage control, relating to limitations on business interests of certain manufacturers, wholesalers, and retailers of alcoholic beverages, 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. 668), the vote was:

Yeas, 38:

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

Nays, 11:

| | | | |
|---------|-----------|------------|-----------|
| Bolkcom | Celsi | Hogg | Jochum |
| Kinney | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | |

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 Chapman asked and received unanimous consent that **Senate File 533** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 668** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Joint Resolution 18.

Senate Joint Resolution 18

On motion of Senator Zaun, **Senate Joint Resolution 18**, 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 shall be published as provided by law for three months previous to the date of that election, was taken up for consideration.

Senator Bisignano offered amendment S-3029, filed by him from the floor, striking and replacing everything after the resolving clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3029 be adopted?" (S.J.R. 18), the vote was:

Yeas, 17:

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

Nays, 32:

| | | | |
|--------------|-----------|--------------|---------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |

| | | | |
|-----------|-----------|-----------|----------|
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Vacant, 1.

Amendment S-3029 lost.

Senator Sinclair took the chair at 12:58 p.m.

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

Senator Whitver asked and received unanimous consent that action on **Senate Joint Resolution 18** be **deferred**.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:16 p.m. until the completion of a meeting of the committee on Local Government.

RECONVENED

The Senate reconvened at 2:07 p.m., President Schneider presiding.

QUORUM CALL

Senator Sweeney requested a nonrecord roll call to determine that a quorum was present.

The Chair declared a quorum present.

The Senate stood at ease at 2:19 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:50 p.m., President Schneider presiding.

BUSINESS PENDING

Senate Joint Resolution 18

The Senate resumed consideration of **Senate Joint Resolution 18**, 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, previously deferred.

Senator Bisignano offered amendment S-3030, 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-3030 be adopted?" (S.J.R. 18), the vote was:

Yeas, 17:

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

Nays, 32:

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

Absent, none.

Vacant, 1.

Amendment S-3030 lost.

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?” (S.J.R. 18), the vote was:

Yeas, 33:

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

Nays, 16:

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

Absent, none.

Vacant, 1.

The resolution, 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 18** be **immediately messaged** to the House.

BUSINESS PENDING

House File 426

The Senate resumed consideration of **House File 426**, a bill for an act relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies, and amendment S-3028, previously deferred.

Senator Boulton offered amendment S-3032, filed by him from the floor to page 1 of amendment S-3028, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3032 to amendment S-3028 be adopted?" (H.F. 426), the vote was:

Yeas, 18:

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

Nays, 31:

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

Absent, none.

Vacant, 1.

Amendment S-3032 to amendment S-3028 lost.

Senator Chapman moved the adoption of amendment S-3028.

A nonrecord roll call was requested.

Amendment S-3028 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?” (H.F. 426), the vote was:

Yeas, 32:

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

Nays, 17:

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

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 Chapman asked and received unanimous consent that **Senate File 331** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 426** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 305

The Senate resumed consideration of **Senate File 305**, a bill for an act relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order, previously deferred.

Senator Schultz offered amendment S-3033, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3033 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. 305), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|------------|
| Behn | Bisignano | Boulton | Breitbart |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 3:

| | | |
|---------|-------|-----------|
| Bolkcom | Celsi | 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.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 305** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:17 p.m. until 9:00 a.m., Thursday, March 14, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Idella Gulden, Waterloo—For celebrating her 100th birthday. Senator Dotzler.

Mike and Linda Rickert, Reinbeck—For their contribution to conservation. Senator Sweeney.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Wednesday, March 13, 2019, 9:10 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Feenstra, Jochum, Sinclair, and R. Smith.

Members Absent: Chapman and Ragan (both excused).

Committee Business: SR 10.

Adjourned: 9:15 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 11, by Dawson, a resolution for recognizing the centennial of the six-month formation period of the American Legion in Iowa.

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

Senate Resolution 12, by Sinclair, a resolution for designating March 2019 as Iowa Women's History Month.

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

INTRODUCTION OF BILLS

Senate File 596, by Sinclair, a bill for an act exempting from the state sales and use tax the purchase price and installation costs of emergency generators used for power outages or natural disasters.

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

Senate File 597, by committee on Ways and Means, a bill for an act exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers, including effective date and retroactive applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 138

APPROPRIATIONS: Johnson, Chair; Lofgren and Ragan

Senate File 413

WAYS AND MEANS: R. Smith, Chair; Feenstra and Jochum

Senate File 488

APPROPRIATIONS: Kraayenbrink, Chair; Johnson and Wahls

Senate File 493

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Celsi and Segebart

Senate File 494

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Celsi and Segebart

Senate File 543

WAYS AND MEANS: Edler, Chair; Carlin and Quirmbach

Senate File 547

APPROPRIATIONS: Breitbach, Chair; Celsi and Kraayenbrink

Senate File 554

APPROPRIATIONS: Guth, Chair; Rozenboom and Wahls

House File 338

WAYS AND MEANS: Feenstra, Chair; Bolkcom and R. Smith

House File 345

TRANSPORTATION: Brown, Chair; Lykam and Zumbach

House File 389

TRANSPORTATION: Zumbach, Chair; Brown and J. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: SENATE RESOLUTION 10, a resolution for honoring the peaceful kinship between the peoples of Japan and the United States and recognizing March 14, 2019, as Japan Day at the Iowa State Capitol.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Whitver, Schneider, Petersen, Behn, Bolkcom, Feenstra, Jochum, Sinclair, and R. Smith. Nays, none. Absent, 2: Chapman and Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 597 (SSB 1114), a bill for an act exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers, including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 597, and they were attached to the committee report.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Monday, March 11, 2019, when the votes were taken on Senate Joint Resolution 17 and Senate Files 209, 274, 282, 303, 304, 367, 447, and 457. Had I been present, I would have voted yea on all.

JEFF EDLER

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 13th day of March, 2019.

Senate Files 220 and 519.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

| | | | |
|--------|--------|-----|----------------|
| S-3029 | S.J.R. | 18 | Tony Bisignano |
| S-3030 | S.J.R. | 18 | Tony Bisignano |
| S-3031 | S.F. | 537 | Nate Boulton |
| S-3032 | H.F. | 426 | Nate Boulton |
| S-3033 | S.F. | 305 | Jason Schultz |
| S-3034 | S.F. | 583 | Kevin Kinney |

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 14, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Mario Lara of the Life Bible Church in Des Moines, Iowa. He was the guest of Senator Garrett.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Piper La Grange.

The Journal of Wednesday, March 13, 2019, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 595** be referred from the Regular Calendar to the committee on **Ways and Means** 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 13, 2019, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 18, 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.

ALSO: That the House has on March 13, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 260, a bill for an act relating to permissible interest rates and charges for certain loans.

Read first time and attached to **companion Senate File 320**.

House File 486, a bill for an act relating to community catalyst building remediation grants for emergency projects.

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

House File 546, 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 referred to committee on **Ways and Means**.

House File 604, a bill for an act relating to commercial fishing to remove underused, undesirable, and injurious organisms from waters of the state, and including applicability provisions.

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

House File 643, a bill for an act relating to driver's licenses and nonoperator's identification cards marked to reflect deaf or hard-of-hearing status.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 10.

Senate Resolution 10

On motion of Senator Nunn, **Senate Resolution 10**, a resolution for honoring the peaceful kinship between the peoples of Japan and the United States and recognizing March 14, 2019, as Japan Day at the Iowa State Capitol, with report of committee recommending passage, was taken up for consideration.

Senator Nunn moved the adoption of Senate Resolution 10, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Nunn introduced to the Senate chamber Naoki Ito, Consulate-General of Japan in Chicago, Illinois.

Consulate-General Ito addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:24 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:03 a.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller-Meeks, until she arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 429 and 560.

Senate File 429

On motion of Senator Kapucian, **Senate File 429**, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions, was taken up for consideration.

Senator Kapucian offered amendment S-3035, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3035 was adopted by a voice vote.

Senator Kapucian asked and received unanimous consent that **House File 482** be **substituted** for **Senate File 429**.

House File 482

On motion of Senator Kapucian, **House File 482**, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions, was taken up for consideration.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 482), the vote was:

Yeas, 43:

| | | | |
|-----------|--------------|-----------|-----------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Edler | Feenstra |
| Garrett | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 5:

| | | | |
|------------|-------|---------|------------|
| Bisignano | Celsi | Dotzler | Taylor, R. |
| Taylor, T. | | | |

Absent, 1:

Miller-Meeks

Vacant, 1.

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

WITHDRAWN

Senator Kapucian asked and received unanimous consent that **Senate File 429** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Feenstra asked and received unanimous consent to take up for consideration Senate File 560.

Senate File 560

On motion of Senator Feenstra, **Senate File 560**, a bill for an act related to installations of certain wireless telecommunications infrastructure in the state, and including effective date provisions, was taken up for consideration.

Senator Feenstra asked and received unanimous consent that **House File 487** be **substituted** for **Senate File 560**.

House File 487

On motion of Senator Feenstra, **House File 487**, a bill for an act related to installations of certain wireless telecommunications infrastructure in the state, 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?” (H.F. 487), the vote was:

Yeas, 38:

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

Nays, 10:

| | | | |
|------------|---------|-----------|-----------|
| Bisignano | Bolkcom | Celsi | Dotzler |
| Hogg | Jochum | Quirmbach | Smith, J. |
| Taylor, R. | Wahls | | |

Absent, 1:

Miller-Meeks

Vacant, 1.

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 560** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 482 and 487** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Behn, the Senate adjourned at 11:18 a.m. until 1:00 p.m., Monday, March 18, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Pauline Cave, South English—For celebrating her 90th birthday. Senator Sweeney.

Honoring the relationship between Taiwan and the State of Iowa. Senators Nunn, Edler, Kapucian, Johnson, Dotzler, Kinney, and Behn.

REPORT OF COMMITTEE MEETING

LOCAL GOVERNMENT

Convened: Wednesday, March 13, 2019, 1:20 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, and Segebart.

Members Absent: Quirmbach (excused).

Committee Business: Presentation by Iowa Housing Partnership.

Adjourned: 1:55 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 596

WAYS AND MEANS: Feenstra, Chair; Brown and J. Smith

House File 263

COMMERCE: Nunn, Chair; Koelker and Petersen

House File 387

TRANSPORTATION: Brown, Chair; Cournoyer and Lykam

House File 595

LOCAL GOVERNMENT: Kraayenbrink, Chair; Guth and J. Smith

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 14, 2019, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the Agricultural Development Board:

Gretchen McLain – Rozenboom, Chair; Edler and Mathis

As members of the Iowa Grain Indemnity Fund Board:

Monica Bieri – Shipley, Chair; Ragan and Sweeney
Curtis Sindergard – Sweeney, Chair; Brown and Wahls

As members of the State Soil Conservation Committee:

Paula Ellis – Costello, Chair; Brown and R. Taylor
Colleen Miller – Edler, Chair; Sweeney and R. Taylor
Patricia Ruff – Costello, Chair; Edler and Kinney

APPROPRIATIONS

As members of the Enhance Iowa Board:

Michael Broshar – Kraayenbrink, Chair; Costello and Mathis
Rita Frahm – Greene, Chair; Garrett and Mathis
Lisa Hein – Johnson, Chair; Guth and Lykam
Valerie Van Kooten – Rozenboom, Chair; Dotzler and Koelker
Mary Wells – Lofgren, Chair; Dotzler and Shipley

COMMERCE

As Consumer Advocate:

Mark Schuling – Chapman, Chair; Lykam and R. Smith

As Superintendent of Credit Unions:

Katie Averill – Chapman, Chair; Bolkcom and Feenstra

As members of the Credit Union Review Board:

Tyler Campbell – Koelker, Chair; Bolkcom and Miller-Meeks
Scott Zahnle – Miller-Meeks, Chair; Bolkcom and Nunn

As members of the Iowa Finance Authority:

Steven Dust – R. Smith, Chair; Feenstra and Mathis
Amy Reasner – R. Smith, Chair; Feenstra and Mathis
Michael Van Milligen – R. Smith, Chair; Feenstra and Mathis

As Chairperson of Telecommunications and Technology Commission:

Barb Kniff-McCulla – Koelker, Chair; Brown and Quirmbach

As a member of the Telecommunications and Technology Commission:

Barb Kniff-McCulla – Koelker, Chair; Brown and Quirmbach

As a member of the Title Guaranty Division Board:

Daniel Seufferlein – Dawson, Chair; Chapman and Petersen

As Chair of the Utilities Board:

Geri Huser – Chapman, Chair; Bisignano and R. Smith

As a member of the Utilities Board:

Nick Wagner – Johnson, Chair; Bisignano and R. Smith

EDUCATION

As members of the Iowa Autism Council:

Andrew Beer – Lofgren, Chair; Behn and Celsi
Nicholos Nopoulos – Lofgren, Chair; Behn and Celsi
Dr. Matthew O'Brien – Lofgren, Chair; Behn and Celsi
Blake Stephenson – Lofgren, Chair; Behn and Celsi
Michael Zehr – Lofgren, Chair; Behn and Celsi

As members of the Early Childhood Iowa State Board:

Diane Campbell – Sweeney, Chair; Edler and J. Smith
Richard Clewell – Sweeney, Chair; Edler and J. Smith
Mayra Martinez – Sweeney, Chair; Edler and J. Smith
Zachary Stier – Sweeney, Chair; Edler and J. Smith

As members of the Board of Educational Examiners:

Floyd Athay – Cournoyer, Chair; Kraayenbrink and Wahls
David Harper – Cournoyer, Chair; Kraayenbrink and Wahls
Phil Hemingway – Cournoyer, Chair; Kraayenbrink and Wahls
Mary Johnson – Cournoyer, Chair; Kraayenbrink and Wahls

As members of the State Board of Regents:

David Barker – Rozenboom, Chair; Quirmbach and Sinclair
Milt Dakovich – Rozenboom, Chair; Quirmbach and Sinclair
Frederick Lindenmayer – Rozenboom, Chair; Quirmbach and Sinclair

As members of the School Budget Review Committee:

Mary Martha Bruckner – Johnson, Chair; Cournoyer and Ragan
Leland Tack – Johnson, Chair; Cournoyer and Ragan

HUMAN RESOURCES

As members of the Commission on Aging:

Carole Dunkin – Segebart, Chair; Johnson and Mathis
Suzanne Heckenlaible – Carlin, Chair; Greene and Quirmbach
Steve Van Oort – Garrett, Chair; Johnson and Quirmbach

As members of the Board of Athletic Training:

John Hollinrake – Miller-Meeks, Chair; Edler and Quirmbach
Christopher Kamm – Carlin, Chair; Jochum and Segebart
Christopher Wiedmann – Edler, Chair; Johnson and Ragan

As members of the Board of Behavioral Science:

Echo Kent – Johnson, Chair; Bolkcom and Segebart
Kerry Lust – Garrett, Chair; Carlin and Ragan
Dr. Amy Mooney – Miller-Meeks, Chair; Johnson and Ragan

As members of the Child Advocacy Board:

Sarah Madojemu – Edler, Chair; Greene and Jochum
Angela Stokes – Johnson, Chair; Mathis and Segebart

As a member of the Health Facilities Council:

Carol Earnhardt – Miller-Meeks, Chair; Bolkcom and Edler

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

Eric Kohlsdorf – Miller-Meeks, Chair; Ragan and Segebart
Dr. Kaaren Vargas – Greene, Chair; Bolkcom and Segebart

As members of the Council on Human Services:

Carol Forristall – Costello, Chair; Edler and Jochum
Rebecca Peterson – Greene, Chair; Costello and Mathis
Rick Sanders – Segebart, Chair; Costello and Ragan

As members of the Commission of Latino Affairs:

Caleb Knutson – Edler, Chair; Greene and Ragan
Valerie Nolte – Carlin, Chair; Jochum and Johnson
Gilbert Nunez – Greene, Chair; Carlin and Mathis

As members of the Mental Health and Disability Services Commission:

Dr. Joseph Cowley – Miller-Meeks, Chair; Edler and Jochum
Teresa Daubitz – Segebart, Chair; Johnson and Mathis
Mary Meyers – Costello, Chair; Greene and Quirmbach
Shari O'Bannon – Edler, Chair; Bolkcom and Garrett
Maria Sorensen – Johnson, Chair; Miller-Meeks and Ragan
Cory Turner – Garrett, Chair; Bolkcom and Segebart

As Director of Public Health:

Gerd Clabaugh – Carlin, Chair; Miller-Meeks and Quirmbach

As members of the Board of Sign Language Interpreters and Translitterators:

Amanda Gallant – Johnson, Chair; Greene and Mathis
Susan Tyrrell – Garrett, Chair; Edler and Quirmbach

As members of the Commission on Tobacco Use Prevention and Control:

Teresa Aoki – Greene, Chair; Costello and Quirmbach
Lorene Mein – Miller-Meeks, Chair; Greene and Ragan
Robert Nichols – Miller-Meeks, Chair; Carlin and Mathis
Michele Sandquist – Greene, Chair; Miller-Meeks and Quirmbach

JUDICIARY

As members of the Iowa State Civil Rights Commission:

Ashley Hunt – Sweeney, Chair; Bisignano and Chapman
Angela Jackson – Zaun, Chair; Hogg and Nunn
Justin Johnston – Whiting, Chair; Hogg and Schultz
Patricia Lipski – Sweeney, Chair; Kinney and Sinclair

As members of the Board of Corrections:

Mark DeJong – Sinclair, Chair; Schultz and R. Taylor
Dr. Lisa Hill – Sinclair, Chair; Bisignano and Schultz
Webster Kranto – Whiting, Chair; Bisignano and Shipley
Lawrence Kudej – Whiting, Chair; Garrett and Kinney

As a member of the Criminal and Juvenile Justice Planning Advisory Council:

Ardyth Slight – Nunn, Chair; Kinney and Sinclair

As members of the Iowa Drug Policy Advisory Council:

Warren Hunsberger, Jr. – Nunn, Chair; Sinclair and R. Taylor
Jane Larkin – Nunn, Chair; Shipley and R. Taylor

As members of the Iowa Law Enforcement Academy Council:

Timothy Carmody – Dawson, Chair; Kinney and Schultz
David Lorenzen – Chapman, Chair; Kinney and Zaun

As State Public Defender:

Jeffery Wright – Garrett, Chair; Dawson and Hogg

LABOR AND BUSINESS RELATIONS

As the Labor Commissioner:

Rod Roberts – Carlin, Chair; Schultz and T. Taylor

As members of the Plumbing and Mechanical Systems Board:

Rick Coffman – Whiting, Chair; Brown and R. Taylor
Robert Kunkel – Whiting, Chair; Brown and R. Taylor
Matthew Wyant – Whiting, Chair; Brown and R. Taylor

As Director of Workforce Development Board:

Beth Townsend – Schultz, Chair; Carlin and Dotzler

As members of the Iowa Workforce Development Board:

Quentin Hart – Koelker, Chair; Dotzler and Nunn
John (Jack) Hasken – Nunn, Chair; Dotzler and Koelker
Amy Larsen – Nunn, Chair; Dotzler and Koelker
Andrew Roberts – Koelker, Chair; Dotzler and Nunn
LuAnn Scholbrock – Koelker, Chair; Dotzler and Nunn

LOCAL GOVERNMENT

As members of the City Development Board:

Mari Bunney – Segebart, Chair; Boulton and Greene
MacKenzie O'Hair – Guth, Chair; Segebart and J. Smith

As members of the County Finance Committee:

Russell Hopp – Greene, Chair; Hogg and Lofgren
Melvyn Houser – Greene Chair; Segebart and J. Smith
Amanda Waske – Segebart, Chair; Greene and Hogg

As members of the Mental Health Risk Pool Board:

Kathy Johnson – Segebart, Chair; Guth and Hogg
Eugene Meiners – Segebart, Chair; Lofgren and Quirmbach
Cheryl Plank – Guth, Chair; Greene and J. Smith
Karla Webb – Kraayenbrink, Chair; Garrett and Quirmbach

As Chair of the Property Assessment Appeal Board:

Elizabeth Goodman – Lofgren, Chair; Boulton and Segebart

As members of the Property Assessment Appeal Board:

Elizabeth Goodman – Lofgren, Chair; Boulton and Segebart
Dennis Loll – Greene, Chair; Guth and Quirmbach

NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission:

Stephanie Dykshorn – Segebart, Chair; Celsi and Cournoyer
Amy Echard – Sweeney, Chair; Celsi and Rozenboom
Tim Kaldenberg – Rozenboom, Chair; Celsi and Zumbach
Ralph Lents – Shipley, Chair; Celsi and Sweeney

As members of the Natural Resource Commission:

Marcus Branstad – Behn, Chair; Boulton and Kapucian
Laura Foell – Cournoyer, Chair; Boulton and Zumbach

As a member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

Karen Andeweg – Segebart, Chair; Lykam and Sweeney

As members of the Renewable Fuel Infrastructure Board:

Mark Cobb – Shipley, Chair; Behn and J. Smith
Gary Langbein – Zumbach, Chair; Segebart and J. Smith
Brian Wiegert – Kapucian, Chair; Cournoyer and J. Smith

STATE GOVERNMENT

As members of the Accountancy Examining Board:

Courtney DeRonde – Johnson, Chair; Celsi and Miller-Meeks
Michelle O'Neill – Johnson, Chair; Celsi and Miller-Meeks

As Director of the Department of Administrative Services:

Janet Phipps Burkhead – R. Smith, Chair; Bisignano and Chapman

As a member of the Alcoholic Beverages Commission:

Gary Nystrom – R. Smith, Chair; Bisignano and Cournoyer

As members of the Architectural Examining Board:

Kolby DeWitt – Feenstra, Chair; Celsi and Chapman
Anna Harmon – Whiting, Chair; Celsi and Dawson

As a member of the Board of Barbering:

Maureen Hardy – Schultz, Chair; Johnson and Lykam

As a member of the Commission for the Blind:

Joseph Van Lent – Schultz, Chair; Johnson and Lykam

As a member of the Boiler and Pressure Vessel Board:

Susan Oltrogge – Schultz, Chair; Johnson and Lykam

As a member of the Board of Chiropractic:

Dr. Jason Wall – Schultz, Chair; Johnson and Lykam

As a member of the Commission on Community Action Agencies:

John Murphy – Schultz, Chair; Johnson and Lykam

As a member of the Board of Cosmetology Arts and Sciences:

Lucas Knight – Schultz, Chair; Johnson and T. Taylor

As members of the Board of Dentistry:

Dr. Gregory Ceraso – Zaun, Chair; Bisignano and Schultz
Dr. Monica Foley – R. Smith, Chair; Bisignano and Schultz
Dr. Lisa Holst – Zaun, Chair; Bisignano and Schultz

As a member of the Board of Dietetics:

Dr. Julie Eichenberger – Zaun, Chair; Bisignano and Schultz

As members of the Electrical Examining Board:

Colby Black – Zaun, Chair; Schultz and T. Taylor

John Claeys – R. Smith, Chair; T. Taylor and Zaun

Kathleen Stoppelmoor – Zaun, Chair; Schultz and T. Taylor

As members of the Elevator Safety Board:

Amy Infelt – Zaun, Chair; Schultz and T. Taylor

Marvin Schumacher – Zaun, Chair; Schultz and T. Taylor

As members of the Engineering and Land Surveying Examining Board:

Paul Herold – Schultz, Chair; Jochum and Johnson

Jack Jones – Schultz, Chair; Jochum and Johnson

As members of the Board of Hearing Aid Specialists:

Ashley Bahr – Cournoyer, Chair; Jochum and Miller-Meeks

Molly Parker – Cournoyer, Chair; Jochum and Miller-Meeks

As Director of the Department of Inspections and Appeals:

Larry Johnson – R. Smith, Chair; Bisignano and Dawson

As members of the Interior Design Examining Board:

Todd Mithelman – Zaun, Chair; Jochum and Schultz

Katherine Stavneak – Zaun, Chair; Jochum and Schultz

As members of the Investment Board of the IPERS:

Justin Kirchhoff – Johnson, Chair; Jochum and Whiting

Wayne Walter – Johnson, Chair; Jochum and Whiting

As members of the Landscape Architectural Examining Board:

Nathan Borland – Cournoyer, Chair; Celsi and Miller-Meeks

Brenda Nelson – Cournoyer, Chair; Celsi and Miller-Meeks

As members of the Iowa Lottery Authority Board of Directors:

Josh Cook – R. Smith, Chair; Bisignano and Cournoyer

Mary Rathje – R. Smith, Chair; Bisignano and Cournoyer

As Director of the Department of Management:

David Roederer – R. Smith, Chair; Bisignano and Zaun

As members of the Board of Massage Therapy:

Irene Richards – Cournoyer, Chair; Celsi and Miller-Meeks
Catherine Sampson – Cournoyer, Chair; Celsi and Miller-Meeks
LeAnn Stevens – Cournoyer, Chair; Celsi and Miller-Meeks

As members of the Board of Medicine:

Diane Cortese – Chapman, Chair; Bisignano and Miller-Meeks
Dr. Ronald Kolegraff – Miller-Meeks, Chair; Bisignano and Chapman
Dr. Joyce Vista-Wayne – Miller-Meeks, Chair; Bisignano and Chapman
Dr. Nikhil Wagle – R. Smith, Chair; Bisignano and Cournoyer

As members of the Board of Mortuary Science:

Carl Linge – Whiting, Chair; Bisignano and Dawson
Maria Lundberg – Whiting, Chair; Bisignano and Dawson

As members of the Commission of Native American Affairs:

Vicky Apala-Cuevas – Whiting, Chair; Bisignano and Dawson
Patrick Bigsby – Whiting, Chair; Bisignano and Dawson
Kelly Montijo Fink – Whiting, Chair; Bisignano and Dawson
Anthony Waseskuk – Whiting, Chair; Bisignano and Dawson

As members of the Board of Nursing:

Dr. Nancy Kramer – Johnson, Chair; T. Taylor and Whiting
Mark Odden – Johnson, Chair; T. Taylor and Whiting

As members of the Board of Nursing Home Administrators:

Penny Cutler-Bermudez – Miller-Meeks, Chair; T. Taylor and Whiting
Karol Dammann – Miller-Meeks, Chair; T. Taylor and Whiting

As members of the Board of Optometry:

Dr. Thomas Hayden – Miller-Meeks, Chair; Lykam and Whiting
Tamie Stahl – Miller-Meeks, Chair; Lykam and Whiting

As members of the Board of Pharmacy:

Dane Nealson – Miller-Meeks, Chair; Lykam and Whiting
Joan Skogstrom – Miller-Meeks, Chair; Lykam and Whiting
Dr. Kathryn (Kathy) Stone – Schultz, Chair; Johnson and Lykam

As members of the Board of Physical and Occupational Therapy:

Stephanie Kelsick – Johnson, Chair; Jochum and Miller-Meeks
Jeremy Kuhn – Johnson, Chair; Jochum and Miller-Meeks
Holly Little – Johnson, Chair; Jochum and Miller-Meeks

As members of the Board of Physician Assistants:

Dr. Kevin de Regnier – Feenstra, Chair; Bisignano and Chapman
Laura Delaney – Feenstra, Chair; Bisignano and Chapman
Melissa Gentry – Feenstra, Chair; Bisignano and Chapman
Michael Schnurr – Feenstra, Chair; Bisignano and Chapman

As members of the Board of Podiatry:

Dr. Theresa Hughes – Chapman, Chair; Feenstra and T. Taylor
Dr. Eugene Nassif – Chapman, Chair; Feenstra and T. Taylor
Dr. Mindy Trotter – Chapman, Chair; Feenstra and T. Taylor

As members of the Board of Psychology:

Justin Rhode – Cournoyer, Chair; Miller-Meeks and T. Taylor
Dr. Lisa Streyffeler – Cournoyer, Chair; Miller-Meeks and T. Taylor

As a member of the Real Estate Appraiser Examining Board:

Vernon (Fred) Greder, Jr. – Chapman, Chair; Celsi and Feenstra

As members of the Real Estate Commission:

Twee Duong – Chapman, Chair; Bisignano and Feenstra
Dennis Stolk – Chapman, Chair; Bisignano and Feenstra

As members of the Board of Respiratory Care:

Brandon Butters – Dawson, Chair; Celsi and Zaun
Jennifer Finney – Dawson, Chair; Celsi and Zaun

As members of the Board of Social Work:

Amy Courneya – Dawson, Chair; Jochum and Zaun
Tony Raymer – Dawson, Chair; Jochum and Zaun
Jody Weigel – Dawson, Chair; Celsi and Zaun

As members of the Board of Speech Pathology and Audiology:

Ashley Bahr – Dawson, Chair; Celsi and Zaun
Karen Bryant – Dawson, Chair; Celsi and Zaun

As Director of Office for State-Federal Relations:

Stephanie Groen – R. Smith, Chair; Cournoyer and Lykam

As a member of the Iowa Board of Veterinary Medicine:

Dr. Dewayne Rahe – Miller-Meeks, Chair; Lykam and Whiting

TRANSPORTATION

As a member of the State Transportation Commission:

Linda Juckette – Brown, Chair; Cournoyer and T. Taylor

VETERANS AFFAIRS

As members of the Commission of Veterans Affairs:

Charles Connors – Edler, Chair; Carlin and Ragan
Orene Cressler – Lofgren, Chair; Costello and Ragan
Steven Hyde – Edler, Chair; Dotzler and Miller-Meeks
Kenneth Lloyd – Carlin, Chair; Dotzler and Miller-Meeks
Darlene McMartin – Dawson, Chair; Costello and Ragan
Gregory Paulline – Lofgren, Chair; Costello and Kinney

WAYS AND MEANS

As Director of the Economic Development Authority:

Deborah (Debi) Durham – R. Smith, Chair; Feenstra and Jochum

As members of the Economic Development Authority:

Jennifer Cooper – Nunn, Chair; Schultz and Wahls
Lisa Hull – Carlin, Chair; Dotzler and Sweeney
Pankaj Monga – Carlin, Chair; Dotzler and Sweeney
Lisa Shimkat – Behn, Chair; Brown and J. Smith
Thomas Townsend – Brown, Chair; Dotzler and Edler

As members of the Iowa Great Places Board:

Barbara Determan – Carlin, Chair; Bolkcom and Brown
Gregory Fisher – Carlin, Chair; Quirmbach and Schultz
Nick Glew – Schultz, Chair; Dotzler and Edler
Jenna Kimberley – Edler, Chair; Brown and Dotzler

As Director of Revenue:

Kraig Paulsen – Feenstra, Chair; Jochum and R. Smith

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 14, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 519 – Relating to an offense involving trespass to agricultural production facilities, providing penalties, and including effective date provisions.

AMENDMENT FILED

S-3035 S.F. 429 Tim L. Kapucian

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 18, 2019

The Senate met in regular session at 1:00 p.m., President Schneider presiding.

Prayer was offered by Alan Diehl, president of the Humanists of Linn County and vice president of the Inter-Religious Council of Linn County in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Meis.

The Journal of Thursday, March 14, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2019, **passed** the following bill in which the concurrence of the House was asked:

Senate File 274, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

ALSO: That the House has on March 14, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 288, a bill for an act relating to military and veterans benefits.

Read first time and attached to **similar Senate File 512**.

House File 304, a bill for an act relating to reports of personal degradation by caretakers of dependent adults in facilities and programs regulated by the department of inspections and appeals.

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

House File 325, a bill for an act relating to weapons requirements for nonambulatory hunters.

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

House File 502, a bill for an act modifying provisions relating to the certification of real estate appraisers and making penalties applicable.

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

House File 650, a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense.

Read first time and attached to **similar Senate File 580**.

House File 692, a bill for an act relating to the tracking and counting of mailed absentee ballots.

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

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Philip Groner, the Governor's appointee to be Executive Director of the Telecommunications and Technology Commission. He was the guest of Senator Johnson and the committee on Commerce.

The Secretary of the Senate introduced Jeffery Wright, the Governor's appointee to be the State Public Defender. He was the guest of Senators Zaun, Garrett, and Hogg and the committee on Judiciary.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:10 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:12 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dawson, until he arrives, on request of Senator Sinclair.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 160, 208, 273, and 339.

Senate File 160

On motion of Senator Kraayenbrink, **Senate File 160**, a bill for an act relating to recommendations regarding school building emergency operations plans, 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?" (S.F. 160), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

Senate File 208

On motion of Senator Whiting, **Senate File 208**, a bill for an act increasing the maximum allowable length for stinger-steered automobile transporters, was taken up for consideration.

Senator Whiting 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. 208), the vote was:

Yeas, 48:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |

| | | | |
|-----------|------------|------------|--------------|
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | 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.

Senate File 273

On motion of Senator Schultz, **Senate File 273**, a bill for an act relating to the criminal elements for the commission of sexual misconduct with offenders and juveniles, and providing penalties, 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. 273), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | 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.

Senate File 339

On motion of Senator Shipley, **Senate File 339**, a bill for an act relating to state employee defense and indemnification from certain claims and actions, 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. 339), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 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 Files 160, 208, 273, and 339** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 583.

Senate File 583

On motion of Senator Breitbach, **Senate File 583**, a bill for an act relating to electric utility rates and infrastructure support options for private generation customers, was taken up for consideration.

Senator Petersen asked and received unanimous consent that action on **Senate File 583** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 412.

Senate File 412

On motion of Senator Johnson, **Senate File 412**, a bill for an act relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance, and making penalties applicable, was taken up for consideration.

Senator 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. 412), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 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 412** 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 564, 567, and 246.

Senate File 564

On motion of Senator Segebart, **Senate File 564**, a bill for an act relating to the Iowa newborn screening panel, 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?" (S.F. 564), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

Senate File 567

On motion of Senator Carlin, **Senate File 567**, a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies, was taken up for consideration.

Senator Carlin offered amendment S-3037, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

Amendment S-3037 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?" (S.F. 567), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

Senate File 246

On motion of Senator Edler, **Senate File 246**, a bill for an act relating to requirements for eligibility under the all Iowa opportunity scholarship program, 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. 246), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 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 Files 246, 564, and 567** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she returns, on request of Senator Whitver.

BUSINESS PENDING

Senate File 583

The Senate resumed consideration of **Senate File 583**, a bill for an act relating to electric utility rates and infrastructure support options for private generation customers, previously deferred.

Senator Mathis withdrew amendment S-3039, filed by Senators Mathis and Quirmbach from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Mathis offered amendment S-3041, filed by Senators Mathis and Quirmbach from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3041 be adopted?” (S.F. 583), the vote was:

Yeas, 19:

| | | | |
|------------|------------|--------------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Kinney |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 28:

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

Absent, 2:

| | |
|--------|----------|
| Dawson | Sinclair |
|--------|----------|

Vacant, 1.

Amendment S-3041 lost.

Senator Kinney deferred amendment S-3034, filed by him on March 13, 2019, to page 2 of the bill.

Senator Kinney offered amendment S-3038, 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-3038 be adopted?" (S.F. 583), the vote was:

Yeas, 18:

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

Nays, 29:

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

Absent, 2:

| | |
|--------|----------|
| Dawson | Sinclair |
|--------|----------|

Vacant, 1.

Amendment S-3038 lost.

Senator Breitbach offered amendment S-3040, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3040 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3034, previously deferred.

Senator Kinney moved the adoption of amendment S-3034.

A record roll call was requested.

On the question “Shall amendment S–3034 be adopted?” (S.F. 583), the vote was:

Yeas, 19:

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

Nays, 28:

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

Absent, 2:

| | |
|--------|----------|
| Dawson | Sinclair |
|--------|----------|

Vacant, 1.

Amendment S–3034 lost.

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. 583), the vote was:

Yeas, 28:

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

Nays, 19:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Greene | Hogg | Jochum |
| Kapucian | Kinney | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | Zaun | |

Absent, 2:

| | |
|--------|----------|
| Dawson | Sinclair |
|--------|----------|

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 583** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:39 p.m. until 9:00 a.m., Tuesday, March 19, 2019.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Marshall Ochiltree, Wilton—For reaching the rank of Eagle Scout, Troop #151. Senator Wahls.

SUBCOMMITTEE ASSIGNMENTS

Senate File 470

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Hogg and Zumbach

Senate File 595

WAYS AND MEANS: Chapman, Chair; Carlin and Quirmbach

House File 604

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Boulton and Segebart

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 2019, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 220 – Relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, and including effective date and retroactive applicability provisions.

AMENDMENTS FILED

| | | | |
|--------|------|-----|-----------------------------------|
| S-3036 | S.F. | 512 | Jim Carlin |
| S-3037 | S.F. | 567 | Jim Carlin |
| S-3038 | S.F. | 583 | Kevin Kinney |
| S-3039 | S.F. | 583 | Liz Mathis Herman C. Quirmbach |
| S-3040 | S.F. | 583 | Michael Breitbach |
| S-3041 | S.F. | 583 | Liz Mathis Herman C. Quirmbach |

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 19, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Glen Hanson of the Cross Point Family Church in Bondurant, Iowa. He was the guest of Senator Nunn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ami Penquite.

The Journal of Monday, March 18, 2019, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Larry Johnson, the Governor's appointee to be Director of the Department of Inspections and Appeals. He was the guest of Senators Smith and Bisignano and the committee on State Government.

RECESS

On motion of Senator Sinclair, 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 9:07 a.m., President Schneider presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 11, a resolution recognizing the centennial of the six-month formation period of the American Legion in Iowa.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 2: Feenstra and Jochum.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 11.

Senate Resolution 11

On motion of Senator Dawson, **Senate Resolution 11**, a resolution recognizing the centennial of the six-month formation period of the American Legion in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Dawson moved the adoption of Senate Resolution 11, which motion prevailed by a voice vote.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel.

The Senate resumed session at 9:24 a.m., President Schneider presiding.

The Senate stood at ease at 9:30 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:59 a.m., President Schneider presiding.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 275 and 93.

Senate File 275

On motion of Senator Chapman, **Senate File 275**, a bill for an act relating to the criminal offenses of assault by threat of a targeted attack and cyberharassment, and providing penalties, was taken up for consideration.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 275), the vote was:

Yeas, 47:

| | | | |
|-----------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 2:

Hogg Taylor, R.

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 93

On motion of Senator Lofgren, **Senate File 93**, a bill for an act relating to abandoned structures and abatement of public nuisances, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lofgren offered amendment S-3010, filed by the committee on Local Government on February 20, 2019, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3010 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. 93), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 93 and 275** 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 506 and 511.

Senate File 506

On motion of Senator Nunn, **Senate File 506**, a bill for an act relating to procedural requirements for the merger of state credit unions, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 506), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 511

On motion of Senator Behn, **Senate File 511**, a bill for an act relating to maintenance of septic systems using a peat moss biofilter system, a recirculating textile filter system, or an aerobic treatment unit, was taken up for consideration.

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. 511), the vote was:

Yeas, 47:

| | | | |
|-----------|------------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 2:

| | |
|-------|------------|
| Celsi | Taylor, R. |
|-------|------------|

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 506** and **511** 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 558 and 376.

Senate File 558

On motion of Senator Johnson, **Senate File 558**, a bill for an act relating to requirements for domestic surplus lines insurers, was taken up for consideration.

Senator 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. 558), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

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

Senate File 376

On motion of Senator Edler, **Senate File 376**, a bill for an act relating to the health education requirement for grades nine through twelve under the education standards, was taken up for consideration.

Senator Edler offered amendment S-3011, filed by him on February 27, 2019, amending the title page of the bill, and moved its adoption.

Amendment S-3011 was adopted by a voice vote.

Senator Mathis offered amendment S-3043, filed by Senator Mathis, et al., from the floor, to page 1 and amending the title page of the bill, and moved its adoption.

Senator Edler raised the point of order that amendment S-3043 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3043 out of order.

Senator Mathis asked and received unanimous consent that action on **Senate File 376** be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 558** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 341.

Senate File 341

On motion of Senator Dawson, **Senate File 341**, a bill for an act relating to assistance animals and service animals in housing, service animals and service-animals-in-training in public accommodations, and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions, 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. 341), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 341** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 538.

Senate File 538

On motion of Senator Schultz, **Senate File 538**, a bill for an act relating to community engagement activity requirements under the Iowa health and wellness plan, was taken up for consideration.

Senator Edler offered amendment S-3017, filed by him on March 11, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Edler offered amendment S-3042, filed by him from the floor to page 2 of amendment S-3017, and moved its adoption.

Amendment S-3042 to amendment S-3017 was adopted by a voice vote.

Senator Bolkcom offered amendment S-3044, filed by him from the floor to page 2 of amendment S-3017, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3044 to amendment S-3017 be adopted?” (S.F. 538), the vote was:

Yeas, 17:

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

Nays, 32:

| | | | |
|--------------|-----------|--------------|---------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |

| | | | |
|-----------|-----------|-----------|----------|
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Vacant, 1.

Amendment S-3044 to amendment S-3017 lost.

Senator Mathis offered amendment S-3046, filed by Senators Mathis and Ragan from the floor to page 2 of amendment S-3017.

The Senate stood at ease at 12:22 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:53 p.m., President Schneider presiding.

Senator Mathis moved the adoption of amendment S-3046.

A record roll call was requested.

On the question "Shall amendment S-3046 be adopted?" (S.F. 538), the vote was:

Yeas, 17:

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

Nays, 32:

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

Absent, none.

Vacant, 1.

Amendment S–3046 lost.

Senator Edler moved the adoption of amendment S–3017, as amended.

Amendment S–3017, as amended, 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. 538), the vote was:

Yeas, 32:

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

Nays, 17:

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

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 538** be **immediately messaged** to the House.

SPECIAL GUEST

President Schneider introduced to the Senate chamber the Honorable Neal Schuerer, former member of the Senate from Iowa County, Amana, Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Whitver, the Senate recessed at 2:27 p.m. until the completion of a meeting of the committee on Human Resources.

RECONVENED

The Senate reconvened at 4:00 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 March 19, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 224, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

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

House File 423, a bill for an act relating to the suspension of Medicaid coverage for an inmate of a public institution.

Read first time and attached to **companion Senate File 415**.

House File 499, a bill for an act relating to passenger automobiles designed to carry ten or fewer persons when used as school buses.

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

House File 518, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid members receiving the Medicare hospice benefit and Medicaid-only members electing the hospice benefit in a nursing facility.

Read first time and attached to **companion Senate File 542**.

House File 598, a bill for an act relating to the assignment of pupils who are siblings to classrooms by school districts.

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

House File 644, a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings.

Read first time and attached to **companion Senate File 477**.

House File 659, a bill for an act relating to pretrial contact between a prosecuting witness who is a minor and the defendant.

Read first time and referred to committee on **Judiciary**.

House File 700, a bill for an act relating to the refilling of a prescription in emergency situations.

Read first time and referred to committee on **Human Resources**.

House File 709, a bill for an act relating to the suspension of a child support order relative to child in need of assistance proceedings.

Read first time and referred to committee on **Judiciary**.

House File 710, a bill for an act relating to the operation of the board of medicine, the board of nursing, the board of pharmacy, and the dental board.

Read first time and referred to committee on **Human Resources**.

House File 719, a bill for an act relating to participation in conciliation related to a dissolution of marriage.

Read first time and referred to committee on **Judiciary**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 507.

Senate File 507

On motion of Senator Breitbach, **Senate File 507**, a bill for an act relating to the definition of personal injuries arising out of and in the course of the employment for the purposes of compensable acts for workers' compensation, was taken up for consideration.

Senator Boulton offered amendment S-3045, 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-3045 be adopted?" (S.F. 507), the vote was:

Yeas, 17:

Bisignano
Dotzler
Lykam
Ragan
Wahls

Bolkcom
Hogg
Mathis
Smith, J.

Boulton
Jochum
Petersen
Taylor, R.

Celsi
Kinney
Quirmbach
Taylor, T.

Nays, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shiple | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Vacant, 1.

Amendment S-3045 lost.

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. 507), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shiple | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Kinney |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

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 507** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:34 p.m. until 9:00 a.m., Wednesday, March 20, 2019.

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 WORKFORCE DEVELOPMENT BOARD

Unemployment Compensation Trust Fund Report, pursuant to Iowa Code section 96.35. Report received on March 19, 2019.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Bob Kindred—For 38 years of exceptional leadership and service to the city and the people of Ames. Senator Quirmbach.

Kimberly Magee—For her six world records and nine national records as a hot air balloon pilot. Senator Kinney.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, March 6, 2019, 3:30 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan.

Members Absent: None.

Committee Business: Passed SFs 60, 291, 347, 360, 387, 395, 419, 421; and SSBs 1210, 1211, 1231, and 1232.

Adjourned: 4:15 p.m.

ALSO:

Convened: Tuesday, March 19, 2019, 3:40 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Johnson, Quirmbach, and Ragan.

Members Absent: Jochum (excused).

Committee Business: Business meeting.

Adjourned: 3:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 19, 2019, 2:30 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Presentation by members of Southfork Watershed Alliance Board of Directors: Jo Baumann, Melissa Miller, and Bill Belden. Hearing with Governor Appointees to be considered for the Natural Resource Commission: Marcus Branstad and Laure Foell.

Adjourned: 3:15 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 19, 2019, 9:00 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Ragan, Sinclair, and R. Smith.

Members Absent: Feenstra and Jochum (both excused).

Committee Business: SR 11.

Adjourned: 9:05 a.m.

WAYS AND MEANS

Convened: Tuesday, March 19, 2019, 3:20 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SF 279 passed unanimously, as amended. SF 321 passed unanimously.

Adjourned: 3:30 p.m.

STUDY BILLS RECEIVED

SSB 1243 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 including effective date provisions.

SSB 1244 Ways and Means

Relating to special assessments for the cost of public improvements and the collection of connection fees for the connection of property to certain city utilities.

SSB 1245 Ways and Means

Establishing a length of service award program for volunteer fire fighters, concerning income tax deductions for volunteer fire fighters, making an appropriation, and including effective date provisions.

SSB 1246 Ways and Means

Relating to the excise taxes on motor fuel and certain special fuel.

SSB 1247 Appropriations

Relating to the creation of land banks.

SUBCOMMITTEE ASSIGNMENTS

House File 265

JUDICIARY: Whiting, Chair; Kinney and Sweeney

House File 304

HUMAN RESOURCES: Greene, Chair; Costello and Mathis

House File 325

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Boulton and Segebart

House File 422

HUMAN RESOURCES: Carlin, Chair; Bolkcom and Garrett

House File 502

COMMERCE: R. Smith, Chair; Chapman and Petersen

House File 546

WAYS AND MEANS: Feenstra, Chair; Dawson and Quirmbach

House File 570

HUMAN RESOURCES: Segebart, Chair; Edler and Ragan

House File 604 (Reassigned)

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Boulton and Segebart

House File 642

HUMAN RESOURCES: Johnson, Chair; Jochum and Segebart

House File 643

TRANSPORTATION: Cournoyer, Chair; Lykam and Shipley

SSB 1243

APPROPRIATIONS: Johnson, Chair; Bolkcom, Breitbach, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls

SSB 1244

WAYS AND MEANS: Nunn, Chair; Schultz and J. Smith

SSB 1245

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

SSB 1246

WAYS AND MEANS: Feenstra, Chair; Sweeney and Wahls

SSB 1247

APPROPRIATIONS: Breitbach, Chair; Kraayenbrink and Mathis

AMENDMENTS FILED

| | | | |
|--------|------|-----|---------------------|
| S-3042 | S.F. | 538 | Jeff Edler |
| S-3043 | S.F. | 376 | Liz Mathis |
| | | | Herman C. Quirmbach |
| | | | Nate Boulton |
| | | | Rich Taylor |
| | | | Zach Wahls |
| | | | Pam Jochum |
| | | | Todd Taylor |
| | | | Claire Celsi |
| | | | Amanda Ragan |
| | | | Janet Petersen |
| | | | Joe Bolkcom |
| S-3044 | S.F. | 538 | Joe Bolkcom |
| S-3045 | S.F. | 507 | Nate Boulton |
| S-3046 | S.F. | 538 | Liz Mathis |
| | | | Amanda Ragan |
| S-3047 | S.F. | 438 | Amy Sinclair |
| S-3048 | S.F. | 532 | Julian B. Garrett |
| S-3049 | S.F. | 438 | Amy Sinclair |
| S-3050 | S.F. | 548 | Dan Zumbach |
| S-3051 | S.F. | 528 | Amy Sinclair |
| S-3052 | S.F. | 114 | Jason Schultz |

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 20, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was offered by Pastor Jealaine Marple of the Elvira Zion Lutheran Church in Clinton, Iowa. She was the guest of Senator Cournoyer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by 6th grader Grayson Chrones from St. Joseph's School in Dewitt, Iowa.

The Journal of Tuesday, March 19, 2019, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 514** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced David Roederer, the Governor's appointee to be Director of the Department of Management. He was the guest of Senators R. Smith and Lykam and the committee on State Government.

The Secretary of the Senate introduced Elizabeth Goodman, the Governor's appointee to be the Chair of the Property Assessment Appeal Board. She was the guest of Senators Lofgren, Boulton, and Segebart and the committee on Local Government.

The Secretary of the Senate introduced Beth Townsend, the Governor's appointee to be Director of Iowa Workforce Development. She was the guest of Senators Schultz and Dotzler and the committee on Labor and Business Relations.

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 10:42 a.m., President Schneider presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 158, 245, 438, and 532.

Senate File 158

On motion of Senator Dawson, **Senate File 158**, a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged, was taken up for consideration.

Senator Dawson offered amendment S-3056, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3056 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. 158), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |

| | | | |
|--------------|-----------|------------|------------|
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | ShIPLEY | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

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 245

On motion of Senator Edler, **Senate File 245**, a bill for an act relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program, 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. 245), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | ShIPLEY | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

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 438

On motion of Senator Sinclair, **Senate File 438**, a bill for an act relating to the responsibilities and authority of school districts or school corporations, accredited nonpublic schools, or area education agencies, was taken up for consideration.

Senator Sinclair withdrew amendment S-3047, filed by her on March 19, 2019, to page 1 and amending the title page of the bill.

Senator Sinclair offered amendment S-3049, filed by her on March 19, 2019, to pages 1, 5, 7, and 9 and amending the title page of the bill.

Senator Cournoyer offered amendment S-3055, filed by her from the floor to page 1 of amendment S-3049, and moved its adoption.

Amendment S-3055 to amendment S-3049 was adopted by a voice vote.

Senator Sinclair moved the adoption of amendment S-3049, as amended.

Amendment S-3049, as amended, 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. 438), the vote was:

Yeas, 32:

Behn
Chapman
Edler

Breitbach
Costello
Feenstra

Brown
Cournoyer
Garrett

Carlin
Dawson
Greene

| | | | |
|--------------|-----------|--------------|----------|
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shiple | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Kinney |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

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 532

On motion of Senator Garrett, **Senate File 532**, a bill for an act relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions, was taken up for consideration.

Senator Garrett offered amendment S-3048, filed by him on March 19, 2019, to page 1 of the bill, and moved its adoption.

Amendment S-3048 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. 532), the vote was:

Yeas, 42:

| | | | |
|---------|-----------|--------------|----------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |

| | | | |
|------------|-----------|-----------|------------|
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 7:

| | | | |
|-----------|---------|----------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | 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.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 158, 245, 438, and 532** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:47 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:44 p.m., President Schneider presiding.

The Senate stood at ease at 1:46 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:11 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 548.

Senate File 548

On motion of Senator Zumbach, **Senate File 548**, a bill for an act relating to the acquisition, donation, or sale of real property for specified purposes, was taken up for consideration.

Senator Zumbach offered amendment S-3050, filed by him on March 19, 2019, to page 1 of the bill, and moved its adoption.

Amendment S-3050 was adopted by a voice vote.

Senator Boulton offered amendment S-3059, filed by Senators Boulton and Kinney from the floor to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3059 be adopted?" (S.F. 548), the vote was:

Yeas, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Kinney |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Nays, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Vacant, 1.

Amendment S-3059 lost.

Senator Hogg deferred amendment S-3060, filed by him from the floor to pages 1 and 2 of the bill.

Senator Hogg deferred amendment S-3061, filed by him from the floor to pages 1 and 2 of the bill.

Senator Hogg deferred amendment S-3062, filed by him from the floor to pages 1 and 2 of the bill.

Senator Hogg offered amendment S-3063, filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3063 be adopted?" (S.F. 548), the vote was:

Yeas, 16:

| | | | |
|-----------|------------|------------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 33:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, none.

Vacant, 1.

Amendment S-3063 lost.

Senator Hogg offered amendment S-3064, filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3064 be adopted?” (S.F. 548), the vote was:

Yeas, 16:

| | | | |
|-----------|------------|------------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 33:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, none.

Vacant, 1.

Amendment S–3064 lost.

Senator Hogg offered amendment S–3065, filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3065 be adopted?” (S.F. 548), the vote was:

Yeas, 16:

| | | | |
|-----------|------------|------------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 33:

| | | | |
|---------|-----------|-----------|--------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |

| | | | |
|----------|--------------|-----------|--------------|
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shiple | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, none.

Vacant, 1.

Amendment S-3065 lost.

The Senate resumed consideration of amendment S-3060, previously deferred.

Senator Hogg moved the adoption of amendment S-3060.

A record roll call was requested.

On the question "Shall amendment S-3060 be adopted?" (S.F. 548), the vote was:

Yeas, 16:

| | | | |
|-----------|------------|------------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 33:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shiple | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, none.

Vacant, 1.

Amendment S-3060 lost.

Senator Hogg withdrew amendment S-3061.

The Senate resumed consideration of amendment S-3062, previously deferred.

Senator Hogg moved the adoption of amendment S-3062.

A record roll call was requested.

On the question "Shall amendment S-3062 be adopted?" (S.F. 548), the vote was:

Yeas, 16:

| | | | |
|-----------|------------|------------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 33:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, none.

Vacant, 1.

Amendment S-3062 lost.

President Pro Tempore Behn took the chair at 3:19 p.m.

President Schneider took the chair at 3:42 p.m.

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. 548), the vote was:

Yeas, 32:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zumbach |

Nays, 17:

| | | | |
|-----------|------------|------------|-------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirnbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |
| Zaun | | | |

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 548** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 561.

Senate File 561

On motion of Senator Chapman, **Senate File 561**, a bill for an act concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct, was taken up for consideration.

Senator Chapman offered amendment S-3058, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3058 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?" (S.F. 561), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Hogg | Jochum | Kinney |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

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 561** 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 556, 592, 559, and 555.

Senate File 556

On motion of Senator Nunn, **Senate File 556**, a bill for an act relating to the membership of the life and health insurance guaranty association, assessments to member insurers for insurance written by impaired or insolvent member insurers, and including applicability and effective date provisions, was taken up for consideration.

Senator Nunn offered amendment S-3053, filed by him from the floor to page 31 and amending the title page of the bill, and moved its adoption.

Amendment S-3053 was adopted by a voice vote.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 556), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 592

On motion of Senator Whiting, **Senate File 592**, a bill for an act relating to the practice and licensure of physician assistants, and providing penalties, was taken up for consideration.

Senator Whiting 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. 592), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 559

On motion of Senator Johnson, **Senate File 559**, a bill for an act relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction, was taken up for consideration.

Senator 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. 559), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 555

On motion of Senator Zumbach, **Senate File 555**, a bill for an act relating to weight limitations for certain implements of husbandry, 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. 555), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, none.

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 555, 556, 559, and 592** 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 21, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Cole Johnson, Senior Officer of the Des Moines Police Department—For acts of courage and bravery in the line of service on March 19, 2019, during an apartment fire in North Des Moines, assisting in the critical extrication of three children from the third floor of the burning building and ensuring their safety. Senator Nunn.

Tyler Kelly, Senior Officer of the Des Moines Police Department—For acts of courage and bravery in the line of service on March 19, 2019, during an apartment fire in North Des Moines, assisting in the critical extrication of three children from the third floor of the burning building and ensuring their safety. Senator Nunn.

Casey Sanders, Senior Officer of the Des Moines Police Department—For acts of courage and bravery in the line of service on March 19, 2019, during an apartment fire in North Des Moines, assisting in the critical extrication of three children from the third floor of the burning building and ensuring their safety. Senator Nunn.

Craig Vasquez, Senior Officer of the Des Moines Police Department—For acts of courage and bravery in the line of service on March 19, 2019, during an apartment fire in North Des Moines, assisting in the critical extrication of three children from the third floor of the burning building and ensuring their safety. Senator Nunn.

INTRODUCTION OF BILL

Senate File 598, by committee on Ways and Means, a bill for an act relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 514

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

House File 224

JUDICIARY: Chapman, Chair; Petersen and Sinclair

House File 303

STATE GOVERNMENT: Whiting, Chair; Cournoyer and T. Taylor

House File 392

STATE GOVERNMENT: Chapman, Chair; Lykam and R. Smith

House File 485

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Feenstra

House File 486

STATE GOVERNMENT: Johnson, Chair; R. Smith and T. Taylor

House File 499

TRANSPORTATION: Breitbach, Chair; Kinney and Koelker

House File 606

HUMAN RESOURCES: Johnson, Chair; Greene and Mathis

House File 659

JUDICIARY: Sweeney, Chair; Kinney and Whiting

House File 692

STATE GOVERNMENT: Chapman, Chair; Jochum and R. Smith

House File 700

HUMAN RESOURCES: Costello, Chair; Johnson and Mathis

House File 709

JUDICIARY: Nunn, Chair; Garrett and Hogg

House File 710

HUMAN RESOURCES: Greene, Chair; Edler and Quirmbach

House File 719

JUDICIARY: Garrett, Chair; Kinney and Nunn

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 598 (formerly SF 321), a bill for an act relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 20th day of March, 2019.

Senate Files 113 and 367.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

| | | | |
|--------|------|-----|-----------------|
| S-3053 | S.F. | 556 | Zach Nunn |
| S-3054 | S.F. | 570 | Annette Sweeney |
| S-3055 | S.F. | 438 | Chris Cournoyer |
| S-3056 | S.F. | 158 | Dan Dawson |
| S-3057 | S.F. | 570 | Robert M. Hogg |
| S-3058 | S.F. | 561 | Jake Chapman |
| S-3059 | S.F. | 548 | Nate Boulton |
| | | | Kevin Kinney |
| S-3060 | S.F. | 548 | Robert M. Hogg |
| S-3061 | S.F. | 548 | Robert M. Hogg |
| S-3062 | S.F. | 548 | Robert M. Hogg |
| S-3063 | S.F. | 548 | Robert M. Hogg |
| S-3064 | S.F. | 548 | Robert M. Hogg |
| S-3065 | S.F. | 548 | Robert M. Hogg |

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 21, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was sung by Margaret Guth, wife and secretary of Senator Dennis Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ellie Reece.

The Journal of Wednesday, March 20, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 625, a bill for an act relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services.

Read first time and attached to **companion Senate File 541**.

House File 698, a bill for an act relating to the jurisdiction and management of pioneer cemeteries.

Read first time and referred to committee on **Local Government**.

House File 707, a bill for an act relating to service of process relating to juvenile delinquency proceedings and termination of the parent-child relationship proceedings.

Read first time and referred to committee on **Judiciary**.

House File 716, a bill for an act relating to firearms requirements for hunting deer.

Read first time and referred to committee on **Natural Resources**.

House File 726, a bill for an act relating to certain health and human services-related entities including membership, reimbursement, and the elimination or combining of such entities.

Read first time and referred to committee on **Human Resources**.

House File 735, a bill for an act relating to the management of soil and water resources, including projects described in the Iowa nutrient reduction strategy, and the use of a county tax levy.

Read first time and referred to committee on **Natural Resources**.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Mark Schuling, the Governor's appointee to be the Consumer Advocate. He was the guest of Senators Chapman and Kinney and the committee on Commerce.

The Secretary of the Senate introduced Geri Huser, the Governor's appointee to be the Chair of the Iowa Utilities Board. She was the guest of Senators Chapman and Kinney and the committee on Commerce.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:37 a.m., President Schneider presiding.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 327** be referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bisignano, Celsi, and R. Taylor, until they arrive, on request of Senator Petersen.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 112, 435, and 505.

Senate File 112

On motion of Senator Chapman, **Senate File 112**, a bill for an act relating to the requirements for certifications of trust and including applicability provisions, was taken up for consideration.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 112), the vote was:

Yeas, 46:

| | | | |
|-----------|-----------|--------------|-----------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |

| | | | |
|------------|-----------|-----------|---------|
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-----------|-------|------------|
| Bisignano | Celsi | Taylor, R. |
|-----------|-------|------------|

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 435

On motion of Senator Kapucian, **Senate File 435**, a bill for an act relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions, was taken up for consideration.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 435), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|-----------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 3:

Bisignano Celsi Taylor, R.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 505

On motion of Senator Koelker, **Senate File 505**, a bill for an act modifying provisions relating to the licensure of professional landscape architects, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 505), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|-----------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 3:

Bisignano

Celsi

Taylor, R.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 112, 435, and 505** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 512, 531, and 572.

Senate File 512

On motion of Senator Carlin, **Senate File 512**, a bill for an act relating to military and veterans benefits, was taken up for consideration.

Senator Carlin offered amendment S-3036, filed by him on March 18, 2019, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3036 was adopted by a voice vote.

Senator Carlin asked and received unanimous consent that **House File 288** be **substituted** for **Senate File 512**.

House File 288

On motion of Senator Carlin, **House File 288**, a bill for an act relating to military and veterans benefits, was taken up for consideration.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 288), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|-----------|
| Behn | Bolkcom | Boulton | Breitbart |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shiple |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-----------|-------|------------|
| Bisignano | Celsi | Taylor, R. |
|-----------|-------|------------|

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Carlin asked and received unanimous consent that **Senate File 512** be **withdrawn** from further consideration of the Senate.

Senate File 531

On motion of Senator Carlin, **Senate File 531**, a bill for an act relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals, was taken up for consideration.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 531), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|-----------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-----------|-------|------------|
| Bisignano | Celsi | Taylor, R. |
|-----------|-------|------------|

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 572

On motion of Senator Miller-Meeks, **Senate File 572**, a bill for an act relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions, was taken up for consideration.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 572), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|-----------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 3:

| | | |
|-----------|-------|------------|
| Bisignano | Celsi | Taylor, R. |
|-----------|-------|------------|

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 531 and 572** and **House File 288** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 576 and 581.

Senate File 576

On motion of Senator Chapman, **Senate File 576**, a bill for an act relating to the protection of certain patient information and data under the purview of the department of public health, was taken up for consideration.

Senator Chapman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 576), the vote was:

Yeas, 34:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Quirnbach | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, R. | Sweeney | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 13:

| | | | |
|----------|---------|-----------|------------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Hogg | Jochum | Lykam | Mathis |
| Petersen | Ragan | Smith, J. | Taylor, T. |
| Wahls | | | |

Absent, 2:

| | |
|-----------|------------|
| Bisignano | Taylor, R. |
|-----------|------------|

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 581

On motion of Senator Feenstra, **Senate File 581**, a bill for an act relating to the auditor of state and including effective date and applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-3066, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3066 was adopted by a voice vote.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 581), the vote was:

Yeas, 47:

| | | | |
|-----------|------------|-----------|--------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, none.

Absent, 2:

Bisignano Taylor, R.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 576 and 581 be immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:27 a.m. until 1:00 p.m., Monday, March 25, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, March 21, 2019, 11:30 a.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: None.

Committee Business: SFs 138, 488, and 554; and SSB 1243.

Adjourned: 12:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, March 21, 2019, 1:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Behn, Celsi, Cournoyer, Kapucian, Lykam, J. Smith, and Zumbach.

Members Absent: Hogg, Ranking Member; Boulton, Segebart, and Sweeney (all excused).

Committee Business: Hearing of Governor's Appointees to be considered for the Environmental Protection Commission: Stephanie Dykshorn, Amy Echard (via teleconference), Tim Kaldenberg, and Ralph Lents. Consideration of Governor's Appointments: Marcus Branstad and Laura Foell for the Natural Resource Commission, Karen Andeweg for the Petroleum Underground Storage Tank Fund Board, Mark Cobb, Gary Langbein, and Brian Wiegert for the Renewable Fuel Infrastructure Commission.

Adjourned: 1:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 13, by Nunn, Behn, Kinney, Edler, Kapucian, Dotzler, and Johnson, a resolution for honoring and recognizing the special relationship between Taiwan and the State of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 599, by committee on Ways and Means, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, including penalties, and providing implementation and effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 600, by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 601, by committee on Appropriations, a bill for an act establishing a pesticide administration and enforcement fund and making appropriations.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 602, by committee on Appropriations, a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 327

WAYS AND MEANS: Dawson, Chair; Carlin and Jochum

House File 386

VETERANS AFFAIRS: Edler, Chair; Miller-Meeks and R. Taylor

House File 692
(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Chapman and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 600 (SSB 1243), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 601 (formerly SF 554), a bill for an act establishing a pesticide administration and enforcement fund and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 602 (formerly SF 138), a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 599 (formerly SF 279), a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, including penalties, and providing implementation and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 599, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

Marcus Branstad – Natural Resource Commission

Laura Foell – Natural Resource Commission

Karen Andreweweg – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

Mark Cobb – Renewable Fuel Infrastructure Board

Gary Langbein – Renewable Fuel Infrastructure Board

Brian Wiegert – Renewable Fuel Infrastructure Board

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 21, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 113 – Allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

Senate File 367 – Eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

AMENDMENTS FILED

| | | | |
|--------|------|-----|----------------|
| S-3066 | S.F. | 581 | Randy Feenstra |
| S-3067 | S.F. | 334 | Jason Schultz |

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 2019

The Senate met in regular session at 1:02 p.m., President Schneider presiding.

Prayer was offered by Pastor Jeff Dadisman of the United Methodist Church in Maquoketa, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Thursday, March 21, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 516, a bill for an act relating to voting membership on joint 911 service boards.

Read first time and referred to committee on **Local Government**.

House File 531, a bill for an act concerning unemployment insurance and including effective date and applicability provisions.

Read first time and referred to committee on **Labor and Business Relations**.

House File 590, a bill for an act relating to tax return preparers, and providing penalties.

Read first time and referred to committee on **State Government**.

House File 591, a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

Read first time and attached to **similar Senate File 425**.

House File 610, a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

Read first time and attached to **similar Senate File 424**.

House File 634, a bill for an act relating to certain boards and councils in the department of human rights including the establishment of the justice advisory board and the elimination of the criminal and juvenile justice planning advisory council, the public safety advisory board, and the sex offender research council.

Read first time and referred to committee on **State Government**.

House File 685, a bill for an act relating to the payment of required medical aid provided to prisoners of county jails.

Read first time and referred to committee on **Local Government**.

House File 690, a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

Read first time and attached to **similar Senate File 479**.

House File 691, a bill for an act relating to funding of county mental health and disability services by modifying provisions relating to the use of specified excess cash flow funds, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Human Resources**.

House File 694, a bill for an act establishing an emergency medical services personnel licensure interstate compact.

Read first time and referred to committee on **State Government**.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Katie Averill, the governor's appointee to be Superintendent of Credit Unions. She was the guest of Senators Chapman and Lykam and the committee on Commerce.

The Secretary of the Senate introduced Dale Woolery, the governor's appointee to be the Director of the Office of Drug Control Policy. He was the guest of Senators Nunn and Wahls and the committee on Judiciary.

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 Greene, Chair; Guth, Segebart, Dotzler, and Bolkcom.

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 the certification of the Secretary of State duly elected to and entitled to a seat in the Senate for the Eighty-eighth General Assembly.

Thomas A. Greene, Chair
Joe Bolkcom
William A. Dotzler, Jr.
Dennis Guth
Mark Segebart

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 March 19, 2019, the following named person was duly elected to the office of State Senate for residue of the term ending January 2, 2021:

30th District Eric Giddens

(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 twenty-fifth day of March, 2019.

PAUL D. PATE
Secretary of State

I hereby acknowledge the receipt of the original copy of this document on this twenty-fifth day of March, 2019.

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, March 19, 2019, for the office of State Senator District 30 as shown by the county abstract returns.

State Senator District 30

| | |
|-------------------------------------|--|
| Walt Rogers, Republican Party | Received five thousand six hundred thirty-five (5,635) votes |
| Eric Giddens, Democratic Party | Received seven thousand six hundred eleven (7,611) votes |
| Fred Perryman, Libertarian Party | Received one hundred forty-three (143) votes |
| Scattering | Received seven (7) votes |
| Total | Thirteen thousand three hundred ninety-six (13,396) votes |

We therefore declare:

Eric Giddens duly elected to fill a vacancy for the office of State Senate District 30 for the residue of the term ending January 2, 2021.

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, March 25, 2019.

(SEAL)

BOARD OF STATE CANVASSERS

KIM REYNOLDS

PAUL D. PATE

ROB SAND

MICHAEL L. FITZGERALD

MICHAEL NAIG

On motion of Senator Whitver, 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 Giddens was administered the oath of office by the President of the Senate, Charles Schneider.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:18 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:24 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 306.

Senate File 306

On motion of Senator Dawson, **Senate File 306**, 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. 306), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 Whitver asked and received unanimous consent to take up for consideration Senate Files 364 and 448.

Senate File 364

On motion of Senator Dawson, **Senate File 364**, a bill for an act relating to the Iowa sobriety and drug monitoring program, was taken up for consideration.

Senator Dawson offered amendment S-3069, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3069 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. 364), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 448

On motion of Senator Dawson, **Senate File 448**, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders, 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. 448), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 306, 364, and 448** 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 64, 330, and 442.

Senate File 64

On motion of Senator Lofgren, **Senate File 64**, a bill for an act relating to the use of a mass notification and emergency messaging system for endangered missing persons, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren offered amendment S-3068, 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-3068 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. 64), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 330

On motion of Senator Sinclair, **Senate File 330**, a bill for an act relating to the division of domestic stock insurers, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that **House File 264** be substituted for **Senate File 330**.

House File 264

On motion of Senator Sinclair, **House File 264**, a bill for an act relating to the division of 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?" (H.F. 264), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 330** be **withdrawn** from further consideration of the Senate.

Senate File 442

On motion of Senator Brown, **Senate File 442**, a bill for an act relating to authorized emergency vehicles, and making penalties applicable, was taken up for consideration.

Senator Brown offered amendment S-3072, filed by him from the floor to pages 1 and 3-5 of the bill, and moved its adoption.

Amendment S-3072 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. 442), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 64 and 442** and **House File 264** 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 478 and 510.

Senate File 478

On motion of Senator Shipley, **Senate File 478**, a bill for an act relating to lighting devices and other equipment on snow plows and authorized emergency vehicles, and making penalties applicable, was taken up for consideration.

Senator Shipley offered amendment S-3070, filed by him from the floor to pages 2 and 3 and amending the title page of the bill, and moved its adoption.

Amendment S-3070 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. 478), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 510

On motion of Senator Koelker, **Senate File 510**, a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions, was taken up for consideration.

Senator Koelker asked and received unanimous consent that **House File 327** be **substituted** for **Senate File 510**.

House File 327

On motion of Senator Koelker, **House File 327**, a bill for an act relating to franchisor-franchisee relationships for the purposes of certain employment laws and including applicability provisions, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 327), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirnbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Koelker asked and received unanimous consent that **Senate File 510** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 478** and **House File 327** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:23 p.m. until 9:00 a.m., Tuesday, March 26, 2019.

APPENDIX

REPORT OF COMMITTEE MEETING

LABOR AND BUSINESS RELATIONS

Convened: Monday, March 25, 2019, 2:10 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 2:20 p.m.

INTRODUCTION OF BILL

Senate File 603, by committee on Appropriations, a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

SSB 1248 Ways and Means

Relating to the established season for hunting game birds on a preserve, and providing for fees.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 6 (Reassigned)

STATE GOVERNMENT: Schultz, Chair; Giddens and Whiting

Senate File 35 (Reassigned)

STATE GOVERNMENT: R, Smith, Chair; Chapman and Giddens

Senate File 56 (Reassigned)

STATE GOVERNMENT: R, Smith, Chair; Cournoyer and Giddens

Senate File 95 (Reassigned)

STATE GOVERNMENT: Feenstra, Chair; Chapman and Giddens

Senate File 128 (Reassigned)

STATE GOVERNMENT: Whiting, Chair; Giddens and Schultz

Senate File 134
(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Giddens and Schultz

Senate File 145
(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Chapman and Giddens

Senate File 162
(Reassigned)

STATE GOVERNMENT: R, Smith, Chair; Chapman and Giddens

House File 310
(Reassigned)

STATE GOVERNMENT: Miller-Meeks, Chair; Chapman and Giddens

House File 392
(Reassigned)

STATE GOVERNMENT: Chapman, Chair; Bisignano and R. Smith

House File 532

HUMAN RESOURCES: Miller-Meeks, Chair; Costello and Quirmbach

House File 598

EDUCATION: Sinclair, Chair; Giddens and Kraayenbrink

House File 698

LOCAL GOVERNMENT: Lofgren, Chair; Garrett and Quirmbach

House File 707

JUDICIARY: Garrett, Chair; Bisignano and Nunn

House File 716

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Celsi and Shipley

House File 735

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Boulton and Sweeney

SSB 1248

WAYS AND MEANS: Edler, Chair; Brown and Dotzler

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 603 (formerly SF 488), a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 603, and they were attached to the committee report.

COMMITTEE CHANGES

The following changes were made to standing committees:

Education – Senator Giddens replacing Senator Ragan

State Government – Senator Giddens replacing Senator Lykam

Transportation – Senator Giddens replacing Senator T. Taylor as Ranking Member; Senator T. Taylor replacing Senator Wahls as member

Veterans Affairs – Senator Giddens replacing Senator Kinney

Ways and Means – Senator Giddens replacing Senator J. Smith

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

Rick Coffman – Plumbing and Mechanical Systems Board

Robert Kunkel – Plumbing and Mechanical Systems Board

Matthew Wyant – Plumbing and Mechanical Systems Board

Quentin Hart – Iowa Workforce Development Board
John (Jack) Hasken – Iowa Workforce Development Board
Amy Larsen – Iowa Workforce Development Board
Andrew Roberts – Iowa Workforce Development Board
LuAnn Scholbrock – 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:

LABOR AND BUSINESS RELATIONS

Beth Townsend – Director of Workforce Development Board

BILL ATTACHED

House File 499 attached to **similar Senate File 186.**

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------|
| S-3068 | S.F. | 64 | Mark Lofgren |
| S-3069 | S.F. | 364 | Dan Dawson |
| S-3070 | S.F. | 478 | Tom Shipley |
| S-3071 | S.F. | 368 | Jake Chapman |
| S-3072 | S.F. | 442 | Waylon Brown |

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 26, 2019

The Senate met in regular session at 9:06 a.m., President Schneider presiding.

Prayer was offered by Father John Spiegel, pastor of the St. Mary Parishes in Oskaloosa and Pella, Iowa. He was the guest of Senator Miller-Meeks.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ben Theuma.

The Journal of Monday, March 25, 2019, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Kraig Paulsen, the governor's appointee to be the Director of Revenue. He was the guest of Senators Dawson and Jochum and the committee on Ways and Means.

HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senator Kapucian introduced to the Senate chamber members from the Hoover Presidential Foundation; David Dierks, Chairman; Bruce Barnhart, Trustee; Jerry Fleagle, President & CEO; and Brad Reiners, Communication Manager.

Senator Jochum announced the 2019 Herbert Hoover Uncommon Public Service Award recipient, Senator Ken Rozenboom.

Senator Rozenboom addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

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 March 26, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12, a concurrent resolution relating to Pioneer Lawmakers.

Read first time and **placed on calendar**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 12.

House Concurrent Resolution 12

On motion of Senator Whitver, **House Concurrent Resolution 12**, a concurrent resolution relating to Pioneer Lawmakers, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 12, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Concurrent Resolution 12** be **immediately messaged** to the House.

The Senate stood at ease at 9:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:00 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 343.

Senate File 343

On motion of Senator Chapman, **Senate File 343**, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, including prohibiting the sharing of related information and requiring the removal of existing systems, and including effective date provisions, was taken up for consideration.

Senator Chapman offered amendment S-3075, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3075 was adopted by a voice vote.

President Pro Tempore Behn took the chair at 11:13 a.m.

President Schneider took the chair at 11:23 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Breitbach, until he arrives, on request of Senator Whitver.

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. 343), the vote was:

Yeas, 30:

| | | | |
|----------|-----------|-----------|--------------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Edler | Feenstra |
| Garrett | Greene | Guth | Johnson |
| Kapucian | Koelker | Lofgren | Miller-Meeks |
| Nunn | Quirmbach | Rozenboom | Schneider |

Schultz
Smith, R.
Whitver

Segebart
Sweeney
Zaun

Shipley
Taylor, R.

Sinclair
Whiting

Nays, 19:

Bisignano
Dawson
Jochum
Mathis
Taylor, T.

Bolkcom
Dotzler
Kinney
Petersen
Wahls

Boulton
Giddens
Kraayenbrink
Ragan
Zumbach

Celsi
Hogg
Lykam
Smith, J.

Absent, 1:

Breitbart

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 343** 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 167, 210, 328, and 337.

Senate File 167

On motion of Senator Kraayenbrink, **Senate File 167**, a bill for an act relating to eligibility for the health care loan repayment program, 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?” (S.F. 167), the vote was:

Yeas, 49:

Behn
Brown
Costello
Edler

Bisignano
Carlin
Cournoyer
Feenstra

Bolkcom
Celsi
Dawson
Garrett

Boulton
Chapman
Dotzler
Giddens

| | | | |
|--------------|-----------|------------|------------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Breitbart

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 210

On motion of Senator Segebart, **Senate File 210**, a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital, 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?" (S.F. 210), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Breitbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 328

On motion of Senator Schultz, **Senate File 328**, a bill for an act relating to the civil commitment of sexually violent predators, was taken up for consideration.

Senator Schultz asked and received unanimous consent that **House File 266** be **substituted** for **Senate File 328**.

House File 266

On motion of Senator Schultz, **House File 266**, a bill for an act relating to the civil commitment of sexually violent predators, 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. 266), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Breitbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schultz asked and received unanimous consent that **Senate File 328** be **withdrawn** from further consideration of the Senate.

Senate File 337

On motion of Senator Johnson, **Senate File 337**, a bill for an act providing for exceptions to the state child labor law, was taken up for consideration.

Senator 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. 337), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Breitbart

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 167, 210, and 337** and **House File 266** 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 437, 502, and 569.

Senate File 437

On motion of Senator Kraayenbrink, **Senate File 437**, a bill for an act relating to academic eligibility standards for public school students participating in school-approved activities, 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?" (S.F. 437), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |

Segebart
Smith, R.
Wahls
Zumbach

Shipley
Sweeney
Whiting

Sinclair
Taylor, R.
Whitver

Smith, J.
Taylor, T.
Zaun

Nays, none.

Absent, 1:

Breitbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 502

On motion of Senator Guth, **Senate File 502**, a bill for an act relating to disclosures of certain information, including reprisals with respect to employees of a political subdivision of the state and providing information to employees concerning the office of ombudsman, 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. 502), the vote was:

Yeas, 49:

Behn
Brown
Costello
Edler
Greene
Johnson
Kraayenbrink
Miller-Meeks
Ragan
Segebart
Smith, R.
Wahls
Zumbach

Bisignano
Carlin
Cournoyer
Feenstra
Guth
Kapucian
Lofgren
Nunn
Rozenboom
Shipley
Sweeney
Whiting

Bolkcom
Celsi
Dawson
Garrett
Hogg
Kinney
Lykam
Petersen
Schneider
Sinclair
Taylor, R.
Whitver

Boulton
Chapman
Dotzler
Giddens
Jochum
Koelker
Mathis
Quirmbach
Schultz
Smith, J.
Taylor, T.
Zaun

Nays, none.

Absent, 1:

Breitbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 569

On motion of Senator Shipley, **Senate File 569**, a bill for an act relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, and including effective date provisions, 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. 569), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Breitbach

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 437, 502, and 569** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 590.

Senate File 590

On motion of Senator Garrett, **Senate File 590**, a bill for an act relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person, 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. 590), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, 1:

Breitbach

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 26, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 304, a bill for an act relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

Senate File 555, a bill for an act relating to weight limitations for certain implements of husbandry.

Senate File 556, a bill for an act relating to the membership of the life and health insurance guaranty association, assessments to member insurers for insurance written by impaired or insolvent member insurers, and including applicability and effective date provisions.

Senate File 559, a bill for an act relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction.

ALSO: That the House has on March 26, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 566, a bill for an act relating to criminal trespass while hunting, fishing, or trapping, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 599, a bill for an act relating to hunting by persons under the age of sixteen.

Read first time and referred to committee on **Natural Resources**.

House File 637, a bill for an act relating to reports relating to misconduct of certain school employees required to be submitted to the board of educational examiners.

Read first time and referred to committee on **Education**.

House File 679, 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 **similar Senate File 546**.

House File 734, a bill for an act relating to postconviction DNA profiling procedure.

Read first time and attached to **similar Senate File 594**.

House File 743, a bill for an act requiring that the general assembly provide for the publication of certain material and associated electronic records pertaining to official legal publications.

Read first time and referred to committee on **State Government**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 1.

Senate Concurrent Resolution 1

On motion of Senator Sweeney, **Senate Concurrent Resolution 1**, 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, with report of committee recommending passage, was taken up for consideration.

Senator Sweeney moved the adoption of Senate Concurrent Resolution 1, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 394.

Senate File 394

On motion of Senator Edler, **Senate File 394**, a bill for an act relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program, was taken up for consideration.

Senator Edler withdrew amendment S-3074, filed by him from the floor to page 1 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. 394), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |

| | | | |
|-----------|-----------|------------|------------|
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Breitbart

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 Concurrent Resolution 1** and **Senate Files 394** and **590** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 59, Senator Whitver called up the following eligible appointees on the En Bloc Confirmation Calendar:

Rosalind Peebles Fox, Commission on the Status of African Americans

Justin Johnston, Iowa State Civil Rights Commission

Dale Woolery, Drug Policy Coordinator

David Schipper, Board of Educational Examiners
Ryan Williamson, Board of Educational Examiners

Paul Herold, Engineering and Land Surveying Examining Board

Lisa Gochenour, Environmental Protection Commission

Stephen Dengle, Health Facilities Council

Katherine Stavneak, Interior Design Examining Board

Tiffany Creekmur, Iowa Law Enforcement Academy Council

Russell Wood, Mental Health and Disability Services Commission
 Lorrie Young, Mental Health and Disability Services Commission

Marcus Branstad, Natural Resource Commission
 Laura Foell, Natural Resource Commission

Karen Andeweg, Iowa Comprehensive Petroleum Underground
 Storage Tank Fund Board

Rick Coffman, Plumbing and Mechanical Systems Board
 (appointment and reappointment)
 Robert Kunkel, Plumbing and Mechanical Systems Board
 Matthew Wyant, Plumbing and Mechanical Systems Board
 (appointment and reappointment)

Mark Cobb, Renewable Fuel Infrastructure Board
 Gary Langbein, Renewable Fuel Infrastructure Board
 Brian Wiegert, Renewable Fuel Infrastructure Board

Philip Groner, Executive Director of the Iowa Telecommunications
 and Technology Commission

Quentin Hart, Iowa Workforce Development Board
 John (Jack) Hasken, Iowa Workforce Development Board
 Amy Larsen, Iowa Workforce Development Board
 Andrew Roberts, Iowa Workforce Development Board
 LuAnn Scholbrock, 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, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |

| | | | |
|-------------|---------|---------|------|
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |
| Nays, none. | | | |
| Absent, 1: | | | |
| Breitbach | | | |

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:54 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 3:44 p.m., President Schneider presiding.

The Senate stood at ease at 3:45 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:53 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 523.

Senate File 523

On motion of Senator Chapman, **Senate File 523**, a bill for an act relating to the nonconsensual termination of and serious injury to a human pregnancy, and providing penalties, was taken up for consideration.

Senator Chapman withdrew amendment S-3073, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Chapman offered amendment S-3077, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Petersen raised the point of order that amendment S-3077 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3077 in order.

Senator Chapman moved the adoption of amendment S-3077.

A record roll call was requested.

On the question "Shall amendment S-3077 be adopted?" (S.F. 523), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, 1:

Breitbach

Amendment S-3077 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. 523), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, 1:

Breitbach

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 523** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:13 p.m. until 9:00 a.m., Wednesday, March 27, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, March 25, 2019, 2:10 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Giddens, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: None.

Committee Business: Appointments by the Governor.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: Tuesday, March 26, 2019, 3:05 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SF 543 passed unanimously by short form vote. SF 327 passed unanimously by short form vote. SF 103 passed unanimously, as amended, by short form vote.

Adjourned: 3:25 p.m.

STUDY BILL RECEIVED

SSB 1249 Ways and Means

Relating to the administration of the tax and related laws by the department of revenue, including the administration and modification of certain tax credits and refunds, the individual and corporate income taxes, franchise taxes, franchise alternative minimum taxes, moneys and credits taxes, sales and use taxes, and automobile rental excise taxes, the assessment of property owned by certain long distance telephone companies, establishing a taxation and exemption of computers task force, and providing for other properly related matters, making penalties applicable, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 520 (Reassigned)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Dawson

House File 516

LOCAL GOVERNMENT: Segebart, Chair; Lofgren and J. Smith

House File 531

LABOR AND BUSINESS RELATIONS: Carlin, Chair; Brown and Dotzler

House File 546 (Reassigned)

WAYS AND MEANS: Dawson, Chair; Quirmbach and R. Smith

House File 590

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Giddens

House File 634

STATE GOVERNMENT: Whiting, Chair; Bisignano and Dawson

House File 685

LOCAL GOVERNMENT: Edler, Chair; Guth and J. Smith

House File 691

HUMAN RESOURCES: Costello, Chair; Bolkcom and Edler

House File 694

STATE GOVERNMENT: Chapman, Chair; Giddens and Miller-Meeks

House File 726

HUMAN RESOURCES: Segebart, Chair; Carlin and Quirmbach

SSB 1249

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: HOUSE FILE 291, a bill for an act relating to the community spouse resource allowance under the Medicaid program.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 304, a bill for an act relating to reports of personal degradation by caretakers of dependent adults in facilities and programs regulated by the department of inspections and appeals.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 422, a bill for an act relating to the provision of health care services via telehealth for the civil commitment unit for sexual offenders.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 570, a bill for an act relating to the brain injury home and community-based services waiver monthly budget maximum.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 642, a bill for an act relating to the release of certain confidential information by the department of human services to multidisciplinary teams and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Chris Kramer to be the Director of Cultural Affairs be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

WILLIAM A. DOTZLER, JR.

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Kathleen Law to State Judicial Nominating Commission be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

ROBERT M. HOGG

GOVERNOR’S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

VETERANS AFFAIRS

Charles Connors – Commission of Veterans Affairs
Orene Cressler – Commission of Veterans Affairs
Steven Hyde – Commission of Veterans Affairs
Kenneth Lloyd – Commission of Veterans Affairs
Darlene McMartin – Commission of Veterans Affairs
Gregory Paulline – Commission of Veterans Affairs

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 26th day of March, 2019.

Senate File 274.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------|
| S-3073 | S.F. | 523 | Jake Chapman |
| S-3074 | S.F. | 394 | Jeff Edler |
| S-3075 | S.F. | 343 | Jake Chapman |
| S-3076 | S.F. | 446 | Roby Smith |
| S-3077 | S.F. | 523 | Jake Chapman |

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 27, 2019

The Senate met in regular session at 9:06 a.m., President Schneider 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 Sam Sampson.

The Journal of Tuesday, March 26, 2019, was approved.

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 March 26, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 732, a bill for an act relating to the medical cannabidiol Act.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Rod Roberts, the governor's appointee to be the Labor Commissioner. He was the guest of Senators Carlin and T. Taylor and the committee on Labor and Business Relations.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention today at 2:00 p.m.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:16 a.m. until 1:50 p.m.

RECONVENED

The Senate reconvened at 1:53 p.m., President Schneider presiding.

JOINT CONVENTION PIONEER LAWMAKERS

Sixty-fifth Biennial Session
House Chamber

In accordance with House Concurrent Resolution 12, duly adopted, the joint convention was called to order at 2:05 p.m., President Schneider presiding.

Senator Whitver declared a quorum present and the joint convention duly organized.

The Pioneer Lawmakers were seated in the House chamber.

Senator Behn welcomed the Pioneer Lawmakers on behalf of the Senate.

President Schneider presented the Honorable Linda Upmeyer, Speaker of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Schneider presented the Honorable William A. Dotzler, Jr., member of the Senate and President of the Pioneer Lawmakers Association, who responded to the welcome.

Senator Dotzler announced the following 1999 class of Pioneer Lawmakers: Clel Baudler, Carmine Boal, Joe Bolkcom, Clarence Hoffman, Lance Horbach, Michael Jager, David Johnson, John Judge, Steve Kettering, Mark Kuhn, David Miller, Dennis Parmenter, Scott Raecker, Mike Sexton, Mark Shearer, Betty Soukup, Greg Stevens, and James Van Engelenhoven.

Honorary members of the 2019 class were the following: Joni Arnett, Susan Cameron Daeman, John Pederson, Bill Petroski, Gary Steinke, Kristi Wentz, and Mark Willemsen.

Senator Dotzler presented Bill Petroski, retired reporter from the Des Moines Register, who addressed the joint convention:

Good afternoon Speaker Upmeyer, President Schneider, distinguished members of the Iowa House and Senate, and special guests:

One of my favorite political quotes came from the late U.S. Sen. and Vice President Hubert H. Humphrey. He remarked, "It is always a risk to speak to the press: they are likely to report what you say."

Thank you to so many of you who have been so helpful to the men and women on the Iowa House and Senate press benches, as well as your local news organizations, in their effort to share news with the citizens of Iowa. I have already told many of you how grateful I have been for your cooperation for so many years.

I truly believe I have had one of the best jobs in American journalism the past 37 years as a state government reporter for the Des Moines Register.

I have been to all 99 Iowa counties over and over in one of the most beautiful states in the nation to write about some of the most interesting people and issues you could imagine. As a journalist, I have been able to walk down Main Street of any community in Iowa, or into any cafe or tavern, tell them I work for the Register, and almost everybody has been nice and pleasant to talk with. I have almost always had the same experience at the Iowa Capitol.

But being an older, balding reporter who always wears a coat and tie as I have traveled the state to write about politics has sometimes created unanticipated situations. Near the end of the 2016 presidential campaign, I covered vice presidential candidate Mike Pence as he spoke to a Republican rally at Iowa Central Community College in Fort Dodge. Lots of prominent Iowa Republicans were there, as you might expect. I particularly remember talking with Sen. Tim Kraayenbrink, who told me he was very optimistic about GOP chances in state legislative races, and he turned out to be right.

After Pence finished speaking, I wrapped up some work on my laptop and headed back to my car in the parking lot. A very nice man who I had never met stopped me and thanked me for coming, which isn't unusual for a Register reporter. We talked seriously for a few minutes and he asked me some questions about Washington politics. As we departed, the man expressed good wishes to me and remarked, "Thank you very much. It was a great honor and a pleasure to meet you, Congressman King. You are Congressman King, aren't you?"

This wasn't the first time somebody in the 4th Congressional District has mistaken me for Steve King, which has amused my journalistic colleagues. But I quickly explained that no, I was a reporter from the Des Moines Register. Now I want you to know that Steve King called me to wish me well when I retired, so I am pretty sure he wouldn't be offended by the mix-up.

I have had some experiences covering state government in Iowa that most Iowans will never have. This includes having had lunch in the inmate dining halls of all nine of Iowa's state prisons and talking with many inmates in their cells and work areas. At the maximum-security Fort Madison penitentiary, which I have visited many times to talk with inmates and staff, the warden's executive officer Ron Welder used to joke that if the prison staff didn't like the story I wrote that day that they wouldn't let me leave the next time I came there.

On a couple of other occasions, I have sat in the front seat of an Iowa State Patrol car with the gas pedal floored on Interstate Highway 35 with a state trooper who was issuing tickets to speed violators. It was probably the only times I have ever been traveling in a car at around 100 mph while we were doing it legally.

On July 19, 1989, I was in Sioux City to cover the worst airplane disaster in Iowa history – the emergency crash landing of United Airlines Flight 232, which killed 112 people, but saw 184 people miraculously survive. The Sioux City airfield that day was filled with dozens of ambulances and volunteer fire trucks from many communities from long distances away, and metal pieces of the DC-10 aircraft were scattered everywhere. It was an incredibly tragic and stunning scene of life and death that I and many others will never forget. But the response by the hundreds of volunteers and professionals who rushed to crash site and Sioux City's hospitals was inspiring as well and they were called heroes for their efforts.

I have spent time on U.S. Army bases in five states outside of Iowa to report on Iowa National Guard troops who were away from home while serving our country. I have also written many, many stories about the deaths of Iowa military service members and I have attended some of their funerals. There's a memorial in the Iowa Capitol Rotunda downstairs with the pictures of fallen Iowa soldiers, sailors, airmen and Marines who have died in Iraq, Afghanistan and other combat zones. I urge you to visit that memorial and study their names and faces. I say a silent prayer every time I see those pictures because I have interviewed the family members or friends of so many people who are included on that memorial. I know what good people those Iowa service members were and how much they are missed.

I was asked to reminisce today, but I wasn't told any topics were off limits. So I want to talk for a minute about the #metoo movement, the personal conduct of public officials, and being a journalist covering state government.

Everybody in this state knows there's been a lot of controversy regarding some incidents involving some Iowa legislators and other government officials over the past few years. But the truth is, this has been a bipartisan problem as long as I have been here, and well before then. And I can assure you it was a serious matter when I spent four sessions at the Minnesota Capitol in St. Paul covering the Minnesota Legislature before I came to Iowa in 1981. I particularly I recall a prominent older male legislator from a small town in southern Minnesota being the focus of controversy after being

accused in a Minneapolis Star newspaper story of making suggestive remarks to a young female lobbyist while they were having a dinner to discuss legislative policies. There was also lots of the same innuendo and gossip that we hear in Iowa that was heard at the Minnesota Capitol. And some of it was definitely true there, just as it has been here.

If there is one lesson I have learned about covering state government in Iowa it's that when someone gets involved in an affair or other questionable conduct as a politician or as a state administrator, somebody who knows about it will often respond by calling me, sending me a letter, or emailing the Des Moines Register or contacting one of my colleagues at another news organization. And while we couldn't always corroborate what happened, I have had many serious discussions with editors over the years about these types of situations, and we have written about some of them.

There's one incident from the 1990s that I won't forget. That's because I was standing outside this chamber in the Iowa Capitol Rotunda one day trying to find a male state legislator after he was named in a paternity lawsuit. He had abruptly disappeared on a busy day at the Legislature and I subsequently found out that an Iowa Department of Human Services employee had tipped him off that I was trying to interview him. The legislator had fled the chamber and ran out of the Iowa Capitol building and drove home for the weekend in an effort to avoid me. However, that lawsuit story still did get printed in the Des Moines Register.

And everyone from my generation who was covering state government will never forget an infamous bachelor party held at the Back Forty Lounge in Mingo in 1986. The party was attended by about 25 legislators, plus lobbyists and legislative staffers and at least a couple of journalists, but not me. It became newsworthy after we heard reports about a loud, cheering crowd, women dancing without their clothes on, and a shocking allegation of sexual misconduct. Five people were subsequently indicted for misdemeanor offenses, including two legislators as well as a lobbyist who lived across the street from me in Des Moines, although a judge later dismissed some of the charges against some of the accused.

One legislator eventually apologized for "inexcusable behavior" which I won't elaborate on, but you can do a Google search and find out more details. We wrote many stories about the Mingo party, but as you might imagine, a lot of people who were in attendance claimed they were in the kitchen or the restroom and they didn't hear or see anything. Let me just say that those people were fortunate that they were not required to take a lie detector test.

Despite the personal shortfalls of some individuals, what I am sure many of us will remember most about government in Iowa is that there are a lot of sincere people from both parties who are very caring and community minded.

This makes me think of people like Jacqueline Day of Des Moines' east side. She was a former confidential secretary to Govs. Bob Ray and Norman Erbe. She also served on the Iowa Board of Parole, where I became acquainted with her.

Jackie Day was one of my best sources for years and she died in 2002. She had two sons who had enlisted in the Marine Corps and one of them was badly wounded in the Vietnam War. So when plans were unveiled for the Vietnam War Memorial on the Iowa Capitol grounds in the early 1980s, she helped to lead the fundraising effort. And when fundraising slowed down, Jackie did what she felt was the right thing for Iowa veterans. She and her family were people of working-class financial means, definitely not wealthy. But she signed a \$59,000 personal note to ensure the work would proceed — and it got done. She later repaid the note with contributions from the public. Everyone who was there when the monument was dedicated across the street from the Iowa Capitol on Memorial Day in 1984 will never forget the sight and sounds of the

military helicopters flying overhead in the missing man formation. Jackie's unselfish dedication prevailed.

Some of you here today attended a ribbon cutting in northwest Iowa last fall for the completion of U.S. Highway 20 as a four-lane expressway across the entire state – 300 miles between Dubuque and Sioux City. I first wrote about the U.S. 20 project in the 1980s, but it had already been underway for decades by then.

The U.S. 20 project is an example of what patience and persistence can accomplish. DOT engineers for years were against widening the two-lane road to four lanes in northwest Iowa. They had good reason because low traffic counts couldn't justify the high cost in sparsely populated rural areas.

But state leaders and members of Iowa's congressional delegation – along with dozens of community leaders across northern Iowa – never gave up. I particularly saw those community leaders over and over again for years as they pleaded their cases at Iowa Transportation Commission meetings in Ames. The U.S. 20 project had to wait until other four-lane road projects were finished elsewhere in Iowa and after the state's gas tax was increased by the Iowa Legislature in the 2015 session. But eventually it was completed, providing a much safer corridor for motorists, shorter travel times and alternative freight routes for shippers.

Iowa probably has one of the better systems of rural four-lane highways in the nation. Some of the most important corridors were developed as part of a Commercial and Industrial Highway Network supported by Gov. Branstad and backed by many state legislators from both parties and community leaders along the routes who believed it would bolster economic development. These were people like former Iowa Republican Senate leader Robert Rigler of New Hampton, who chaired the Iowa DOT Commission; and another former DOT chairman – Austin Turner of Corning. Some others included businessman Ernie Hayes of Mount Pleasant, who was a key advocate for the Avenue of the Saints highway; and people like Ed Augustine and Buck Boekelman of Fort Dodge, Shirley Phillips of Sac City, and many, many others. They supported road improvements because they felt they were the best for Iowa in the long run, not because they stood to benefit personally.

There haven't been many times when I have failed to get an interview with a politician when I was assigned to do it. But when I was a much younger reporter – back in 1975 and 1976 and prior to joining the Register, I worked at the Albert Lea Tribune on the Minnesota-Iowa border, where our coverage area included Iowa communities like Lake Mills and Northwood. My editor, Jim Oliver, asked me to write a story about a young Republican legislator who was considered an up and comer in Iowa politics. Unfortunately, I got tied up on another assignment that Saturday so I was late arriving at the Winnebago County GOP convention in Forest City. The young legislator had already left to speak at another Republican event and I missed him, so it was another five or six years before I got hired by the Register and actually saw Terry Branstad for the first time. After he was elected governor in 1982, I ended up covering his administration during all six of his terms in office.

However, I did have an opportunity to interview a freshman member of Iowa's congressional delegation a few months later. His name was U.S. Rep. Charles Grassley. That was almost 43 years ago and believe me, he wasn't any different then than he is now. I remember asking Grassley at the time his thoughts about right-to-work laws, which he strongly favored. I mentioned this interview to U.S. Sen. Grassley a few years ago, and he clearly recalled every detail about why he was there that day and the Republican candidate he was helping by speaking at a campaign fundraiser.

After coming to the Register in the early 1980s I wasn't actually assigned to cover the Iowa House when Rep. Delwyn Stromer of Garner was Iowa House speaker. But I was covering state government agencies, and I did need to interview him. Speaker

Stromer – everybody just called him Del - was a Republican who was well respected as a fair man who tried to work with people from both parties. So when his daughter, Rep. Linda Upmeyer, became Iowa House speaker more than three decades later, I honestly felt it was the most wonderful thing for me to be able to be here to see that happen and that I had the opportunity to say that I had interviewed her as well. I felt like I had a front row seat on Iowa history as it was being made, just as I stood in the Rotunda and saw Gov. Kim Reynolds be inaugurated in May 2017.

I have also had the honor of witnessing the careers of many other prominent Iowa politicians, including former Senate Majority Leader Michael Gronstal, whom I first met when he served in the Iowa House in the early 1980s. Another was former Iowa Gov. and state Sen. Tom Vilsack, whom I first became acquainted with when he was a lawyer and mayor in Mount Pleasant because his wife, Christie, was a correspondent for the Des Moines Register. I can tell you that when Gronstal and Tom Vilsack were just first-term lawmakers they were both meticulously well versed on government policies and I think most people took them very seriously.

I particularly recall the first time I telephoned the Washington office of Iowa Congressman Neal Smith, a Democrat from Des Moines who still holds the record as the longest serving U.S. House member in Iowa history, holding his seat from 1959 to 1995. He is now 99 years old and he is a humble man who has never had any pretensions. When I called Smith's office that day, I asked to talk with his press secretary, but his aide Park Rinard explained that Smith didn't have a press secretary. This was the first time I had ever heard of such a thing for a congressman. Rinard asked me to wait a minute so Smith could call a recess during a U.S. House committee meeting he was chairing in Washington so the congressman could come to the phone and take the call himself, which he did.

If there is one thing that has changed since I have arrived here it's been a much sharper division of partisanship and much less representation of the entire political spectrum within both political parties. If you look at the history of Iowa politics, there has always been vigorous party activity and negative campaigning certainly isn't anything new. But the degree of polarization is significantly greater now than when I arrived here. I could dedicate an entire speech to this topic, but just let me say that the past era saw far less money being spent on campaigns, there was no Facebook or Twitter or non-stop political arguments on cable TV shows. It was also not uncommon in the past to have some conservative Democratic politicians and some liberal Republicans.

Of course, the process of news gathering has changed dramatically since I covered my first legislative session in 1978. We didn't have the Internet back then, but I did write stories on one of the first portable computers – a 40-pound suitcase-sized device with a keyboard and a tiny black and white electronic screen. I sent my stories to my editors via a telephone line that connected with equipment in the newsroom that printed out the type for publication.

Today, covering legislative news has changed dramatically because of the Internet and social media. In recent years, I have posted stories at every hour of the day and night and on Saturdays and Sundays, which is why I have had to call some of you folks at home at night, on weekends and at other times.

One thing hasn't changed, though. We still have disagreements with state and local government officials on a fairly regular basis over what information should be classified as public and what should be kept private. I agree with Justice Louis Brandeis, who favored a policy of transparency, saying "If the broad light of day could be let in upon men's actions, it would purify them as the sun disinfects."

One of my late Register colleagues, reporter Nick Lamberto, was a Remsen native from northwest Iowa who had been a U.S. combat pilot who hunted German U-Boats in the North Atlantic during World War II. When occasions arose when a public official in Iowa refused to talk with him or denied him public records, he used to read them the riot act, which I personally witnessed many times. He told them we fought in World War II against the Nazis for the right to have an open government and that's what differentiated us from Hitler and the other fascists. And believe me, that was a convincing argument. When Nick died, he was buried in his military uniform.

As I close today, I want everyone to know how grateful I am that I have had the opportunity to cover state government in Iowa the past 37 years. I know how hard many legislators work because I have sat at the press bench in empty House and Senate chambers late in the day or at night when no one else from the public was around and seen many legislators – Democrats and Republicans – as well as their staffs, putting in long hours to get their work finished. You folks know who you are.

People at the Iowa Capitol are not all perfect; we know that because as journalists we have written many stories citing their shortcomings and failures. But overall, I can honestly say from having been here that I have respect for the many very dedicated, well-intentioned people who give 100 percent here every day with the goal of providing the best public service they can accomplish.

You have been great to work with and I wish everyone well. God Bless. Thank you.

Representative Hagenow moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

RECESS

On motion of Senator Whitver, the Senate recessed at 2:37 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:05 p.m., President Schneider presiding.

The Senate stood at ease at 3:06 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:13 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Breitbach and Nunn, until they arrive, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Kathleen Law as a member of the Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 26, 2019, found on page 753 of the Senate Journal.

Senator Whitver moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Breitbach Nunn

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 159, 392, 458.

Senate File 159

On motion of Senator Johnson, **Senate File 159**, 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 teacher licensure and providing for related matters, was taken up for consideration.

Senator Johnson offered amendment S-3078, filed by him from the floor to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-3078 was adopted by a voice vote.

Senator 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. 159), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|------|
| Breitbach | Nunn |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 392

On motion of Senator Kinney, **Senate File 392**, a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody, and providing penalties, was taken up for consideration.

Senator Kinney 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. 392), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|------|
| Breitbach | Nunn |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

SPECIAL GUESTS

President Schneider introduced to the Senate chamber the Honorable Merlin Bartz, former member of the Senate from Worth County, Grafton, Iowa.

President Schneider introduced to the Senate chamber the Honorable Eugene Fraise, former member of the Senate from Lee County, Fort Madison, Iowa.

The Senate rose and expressed its welcome.

Senate File 458

On motion of Senator Garrett, **Senate File 458**, a bill for an act relating to debts for which the homestead is liable by providing that the homestead may be sold to satisfy debts secured by a mechanic's lien, including principal, interest, attorney fees, and costs, 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. 458), the vote was:

Yeas, 35:

| | | | |
|--------------|-----------|-----------|-----------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 13:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Petersen | Quirmbach | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Nunn |
|-----------|------|

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 159, 392, and 458** 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 513, 521, 526, and 549.

Senate File 513

On motion of Senator Miller-Meeks, **Senate File 513**, a bill for an act relating to the prescribing and dispensing of self-administered hormonal contraceptives, was taken up for consideration.

Senator Miller-Meeks offered amendment S-3079, filed by her from the floor to page 4 of the bill, and moved its adoption.

Amendment S-3079 was adopted by a voice vote.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 513), the vote was:

Yeas, 42:

| | | | |
|------------|------------|-----------|--------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Celsi | Chapman | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whitver |
| Zaun | Zumbach | | |

Nays, 6:

| | | | |
|------|---------|----------|----------|
| Behn | Carlin | Costello | Feenstra |
| Guth | Whiting | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Nunn |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 521

On motion of Senator Cournoyer, **Senate File 521**, a bill for an act relating to goose hunting on private property, was taken up for consideration.

Senator Cournoyer 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. 521), the vote was:

Yeas, 39:

| | | | |
|------------|--------------|--------------|----------|
| Behn | Bisignano | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Mathis | Miller-Meeks | Petersen | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 9:

| | | | |
|-----------|---------|-------|-----------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Lykam | Quirmbach |
| Smith, J. | | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Nunn |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 526

On motion of Senator Dawson, **Senate File 526**, a bill for an act creating a blue alert program within the department of public safety for the apprehension of a person suspected of killing or seriously injuring a peace officer in the line of duty or due to safety concerns for a peace officer missing while on duty, was taken up for consideration.

Senator Dawson offered amendment S-3081, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

Amendment S-3081 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. 526), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Breitbart Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 549

On motion of Senator R. Smith, **Senate File 549**, a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing penalties, and including effective date provisions, was taken up for consideration.

Senator R. 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. 549), the vote was:

Yeas, 47:

| | | | |
|--------------|------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 1:

Taylor, R.

Absent, 2:

Breitbach Nunn

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 513, 521, 526, and 549** 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 449 and 388.

Senate File 449

On motion of Senator Chapman, **Senate File 449**, 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 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. 449), the vote was:

Yeas, 31:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Bisignano | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kinney | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 17:

| | | | |
|---------|-----------|------------|------------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Kapucian |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Nunn |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 388

On motion of Senator Zumbach, **Senate File 388**, a bill for an act relating to the Iowa patriots memorial highway, and including applicability provisions, with report of committee recommending passage, 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. 388), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Breitbach Nunn

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 388 and 449** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:23 p.m. until 9:00 a.m., Thursday, March 28, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Wednesday, March 27, 2019, 1:00 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:20 p.m.

STATE GOVERNMENT

Convened: Wednesday, March 27, 2019, 1:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: HF's 303, 485, and 486. Governor appointees.

Adjourned: 1:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 14, by Wahls, Cournoyer, and Bolkcom, a resolution for recognizing Megan Gustafson for her outstanding academic and college basketball career at the University of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 604, by committee on Ways and Means, a bill for an act relating to the calculation of certain court costs in probate matters, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 605, by committee on Ways and Means, a bill for an act relating to the application fee and annual fee imposed for nonassistance child support cases.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 606, by committee on Ways and Means, a bill for an act relating to the transfer of investment tax credits issued to housing businesses under the enterprise zone program, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILLS RECEIVED

SSB 1250 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 college student aid commission, and the state board of regents and certain regents institutions, and properly related matters.

SSB 1251 Appropriations

Relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 566

JUDICIARY: Schultz, Chair; Bisignano and Dawson

House File 637

EDUCATION: Cournoyer, Chair; Sweeney and Wahls

House File 732

JUDICIARY: Zaun, Chair; Sinclair and R. Taylor

SSB 1250

APPROPRIATIONS: Lofgren, Chair; Bolkcom, Breitbach, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Kraayenbrink, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

SSB 1251

APPROPRIATIONS: Shipley, Chair; Bolkcom, Breitbach, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, T. Taylor, and Wahls.

FINAL COMMITTEE REPORTS OF BILL ACTION**LOCAL GOVERNMENT**

Bill Title: HOUSE FILE 595, a bill for an act related to allowable annual salaries for deputy county auditors in charge of elections administration.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Edler, Greene, J. Smith, Boulton, Garrett, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart. Nays, none. Absent, 1: Guth.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 698, a bill for an act relating to the jurisdiction and management of pioneer cemeteries.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Edler, Greene, J. Smith, Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 303, a bill for an act relating to a statewide welcome center program.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 485, a bill for an act concerning state purchasing requirements relating to targeted small business procurement goals.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 486, a bill for an act relating to community catalyst building remediation grants for emergency projects.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 604 (formerly SF 327), a bill for an act relating to the calculation of certain court costs in probate matters, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 605 (formerly SF 543), a bill for an act relating to the application fee and annual fee imposed for nonassistance child support cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 606 (formerly SF 103), a bill for an act relating to the transfer of investment tax credits issued to housing businesses under the enterprise zone program, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 606, and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 27, 2019, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 274 – Relating to speech and expression at public institutions of higher education, providing for remedies, 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:

LOCAL GOVERNMENT

Mari Bunney – City Development Board
MacKenzie O'Hair – City Development Board

Russell Hopp – County Finance Committee
Melvyn Houser – County Finance Committee
Amanda Waske – County Finance Committee

Kathy Johnson – Mental Health Risk Pool Board
Eugene Meiners – Mental Health Risk Pool Board
Cheryl Plank – Mental Health Risk Pool Board
Karla Webb – Mental Health Risk Pool Board

Elizabeth Goodman – Chair of the Property Assessment Appeal Board

Elizabeth Goodman – Property Assessment Appeal Board
Dennis Loll – Property Assessment Appeal Board

STATE GOVERNMENT

Courtney DeRonde – Accountancy Examining Board
Michelle O'Neill – Accountancy Examining Board

Kolby DeWitt – Architectural Examining Board
Anna Harmon – Architectural Examining Board

Dr. Gregory Ceraso – Board of Dentistry
Dr. Lisa Holst – Board of Dentistry

Dr. Julie Eichenberger – Board of Dietetics

Colby Black – Electrical Examining Board
Kathleen Stoppelmoor – Electrical Examining Board

Amy Infelt – Elevator Safety Board
Marvin Schumacher – Elevator Safety Board

Molly Parker – Board of Hearing Aid Specialists

Todd Mithelman – Interior Design Examining Board
Katherine Stavneak – Interior Design Examining Board

Nathan Borland – Landscape Architectural Examining Board
Brenda Nelson – Landscape Architectural Examining Board

Irene Richards – Board of Massage Therapy
Catherine Sampson – Board of Massage Therapy
LeAnn Stevens – Board of Massage Therapy

Carl Linge – Board of Mortuary Science
Maria Lundberg – Board of Mortuary Science

Vicky Apala-Cuevas – Commission of Native American Affairs
Patrick Bigsby – Commission of Native American Affairs
Kelly Montijo Fink – Commission of Native American Affairs
Anthony Waseskuk – Commission of Native American Affairs

Stephanie Kelsick – Board of Physical and Occupational Therapy
Jeramy Kuhn – Board of Physical and Occupational Therapy
Holly Little – Board of Physical and Occupational Therapy

Dr. Kevin de Regnier – Board of Physician Assistants
Laura Delaney – Board of Physician Assistants
Melissa Gentry – Board of Physician Assistants
Michael Schnurr – Board of Physician Assistants

Dr. Theresa Hughes – Board of Podiatry
Dr. Eugene Nassif – Board of Podiatry
Dr. Mindy Trotter – Board of Podiatry

Justin Rhode – Board of Psychology
 Dr. Lisa Streiffeler – Board of Psychology

Vernon (Fred) Greder, Jr. – Real Estate Appraiser Examining Board

Twee Duong – Real Estate Commission
 Dennis Stolk – Real Estate Commission

Ashley Bahr – Board of Speech Pathology and Audiology

AMENDMENTS FILED

| | | | |
|--------|------|-----|---------------------------|
| S-3078 | S.F. | 159 | Craig Johnson |
| S-3079 | S.F. | 513 | Mariannette Miller-Meeks. |
| S-3080 | S.F. | 334 | Jason Schultz |
| S-3081 | S.F. | 526 | Dan Dawson |
| S-3082 | S.F. | 475 | Chris Cournoyer |
| S-3083 | S.F. | 116 | Jason Schultz |
| S-3084 | S.F. | 524 | Zach Whiting |
| S-3085 | S.F. | 414 | Mariannette Miller-Meeks |
| S-3086 | S.F. | 459 | Jason Schultz |
| S-3087 | S.F. | 334 | Liz Mathis |
| | | | Amanda Ragan |

JOINT MEMORIAL SERVICE
EIGHTY-EIGHTH GENERAL ASSEMBLY
SENATE CHAMBER
MARCH 27, 2019

PROGRAM

President Charles Schneider, Presiding

“Iowa, My Iowa”Memorial Choir

Invocation.....President Charles Schneider

MEMORIALS

Readers: Rep. McKean, Sen. Bisignano, Rep. Ourth, Rep. Forbes, Sen. Celsi

| | | |
|-----------------------------------|--------------------------|-----------------------|
| Hon. James O. Anderson [H] [S] | Hon. Don Avenson [H] | Hon. Leonard Boswell |
| Hon. Florence Buhr [H/S] [S] | Hon. Dale M. Cochran [H] | Hon. Joy Cole Corning |

“Come, Come Ye Saints”Memorial Choir

MEMORIALS

Readers: Rep. Dolecheck, Sen. Jochum, Rep. Gaskill, Rep. Holt,
Sen. T. Taylor

| | | |
|----------------------------------|--------------------------|--------------------------|
| Hon. Gregory A. Forristall [H] | Hon. Andy Frommelt [H/S] | Hon. Willie Glanton [H] |
| Hon. John Morse Greig [H] [H] | Hon. Curt Hanson [H] | Hon. Myron “Dell” Hanson |
| Hon. Danny J. Holmes [H] | Hon. Cal Hultman [S] | Hon. Karl Kiilsholm [H] |

“American Anthem”Memorial Choir

MEMORIALS

Readers: Rep. McKean, Sen. Celsi, Sen. Bisignano, Rep. Winckler, Rep. Dolecheck

| | | |
|---------------------------------|------------------------------|---------------------|
| Hon. Robert Renken [H] [H/S] | Hon. Dale Rickert [H] | Hon. Jack Schroeder |
| Hon. Tom Slater [S] [H/S] | Hon. John P. Sunderbruch [H] | Hon. John Tapscott |
| Hon. Andrew Varley [H] | | |

Responsorial Reading.....Led by President Schneider

“God Be With You”Memorial Choir

IN MEMORIAM

SERVED IN THE SENATE

Honorable Leonard Boswell (Decatur) 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th, 76th G.A. (1985-1996)

Honorable Joy Corning (Black Hawk) 71st, 72nd, 72nd X, 72nd XX, 73rd G.A. (1985-1991)

Honorable Cal Hultman (Montgomery) 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd G.A. (1973-1991)

Honorable Tom Slater (Pottawattamie) 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th G.A. (1977-1985)

SERVED IN THE SENATE AND IN THE HOUSE OF REPRESENTATIVES

Honorable Florence Buhr (Polk) 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th G.A. (1983-1995)

Honorable Andy Frommelt (Dubuque) 55th, 56th, 57th, 58th, 59th, 60th, 60th X, 61st, 62nd, 63rd G.A. (1953-1971)

Honorable Jack Schroeder (Scott) 54th, 55th, 56th, 57th, 58th, 59th, 60th, 60th X, 61st G.A. (1951-1967)

Honorable John Tapscott (Polk) 62nd, 63rd, 64th G.A. (1967-1973)

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable James O. Anderson (Audubon) 68th, 69th, 69th X, 69th XX, 70th G.A. (1979-1985)

Honorable Don Avenson (Fayette) 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd G.A. (1973-1991)

Honorable Dale M. Cochran (Webster) 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th, 71st G.A. (1965-1987)

Honorable Gregory A. Forristall (Pottawattamie) 82nd, 83rd, 84th, 85th, 86th, 87th G.A. (2007-2017)

Honorable Willie Glanton (Polk) 61st G.A. (1965-1967)

Honorable John Morse Greig (Emmet) 75th, 76th, 77th G.A. (1993-1999)

Honorable Curt Hanson (Jefferson) 83rd, 84th, 85th, 86th, 87th G.A. (2009-2017)

Honorable Myron “Dell” Hanson, Jr. (Benton) 80th G.A. (2003-2005)

Honorable Danny J. Holmes (Scott) 77th, 78th G.A. (1997-2001)

Honorable Karl Kiilsholm (Kossuth) 62nd G.A. (1967-1969)

Honorable Robert Renken (Butler) 68th, 69th, 69thX, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th XX, 75th, 76th G.A. (1979-1997)

Honorable Dale Rickert (Louisa) 61st G.A. (1965-1967)

Honorable John P. Sunderbruch (Scott) 78th G.A. (1999-2001)

Honorable Andrew Varley (Adair) 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X G.A. (1967-1979)

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 28, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was offered by Father Gehling, chaplain of Mercy One Hospital in Mason City, Iowa. He was the guest of Senator Ragan.

The 2019 Memorial Choir, directed by Representative Rob Bacon, sang a selection of songs.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Birdwell.

The Journal of Wednesday, March 27, 2019, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Janet Phipps Burkhead, the governor's appointee to be Director of the Department of Administrative Services. She was the guest of Senators R. Smith and Giddens and the committee on State Government.

The Secretary of the Senate introduced Gerd Clabaugh, the governor's appointee to be Director of Public Health. He was the guest of Senators Miller-Meeks and Carlin and the committee on Human Resources.

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 10:32 a.m., President Schneider presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 570.

Senate File 570

On motion of Senator Sweeney, **Senate File 570**, a bill for an act providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances, was taken up for consideration.

Senator Sweeney offered amendment S-3088, filed by her 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-3088 was adopted by a voice vote.

With the adoption of amendment S-3088, the Chair ruled the following amendments out of order:

Amendment S-3054, filed by Senator Sweeney on March 20, 2019, to pages 1-2 of the bill; and

Amendment S-3057, filed by Senator Hogg on March 20, 2019, to pages 2 and 3 of the bill.

Senator Sweeney 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. 570), the vote was:

Yeas, 48:

| | | | |
|----------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |

| | | | |
|--------------|------------|------------|-----------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Breitbach Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

UNFINISHED BUSINESS (Deferred March 19, 2019)

Senate File 376

The Senate resumed consideration of **Senate File 376**, a bill for an act relating to the health education requirement for grades nine through twelve under the education standards, deferred March 19, 2019.

Senator Edler withdrew amendment S-3089, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Mathis asked and received unanimous consent that action on **Senate File 376** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 170 and 333.

Senate File 170

On motion of Senator Rozenboom, **Senate File 170**, a bill for an act relating to the publication duties of and the filling of vacancies on county agricultural extension councils and including effective date and applicability provisions, with report of committee recommending passage, 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. 170), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|------|
| Breitbart | Nunn |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 333

On motion of Senator Zaun, **Senate File 333**, a bill for an act relating to nonsubstantive Code corrections, 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. 333), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|------|
| Breitbart | Nunn |
|-----------|------|

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 170, 333, and 570** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 334.

Senate File 334

On motion of Senator Schultz, **Senate File 334**, a bill for an act relating to public assistance program oversight, was taken up for consideration.

Senator Mathis offered amendment S-3087, filed by Senators Mathis and Ragan on March 27, 2019, to pages 1 and 5 of the bill.

Senator Schultz raised the point of order that amendment S-3087 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3087 out of order.

Senator Schultz withdrew amendment S-3067, filed by him on March 21, 2019, to pages 1, 2, 4, and 5 of the bill.

Senator Schultz offered amendment S-3080, filed by him on March 27, 2019, to pages 1, 2, 4, and 5 of the bill.

Senator Dotzler asked and received unanimous consent that action on amendment S-3080 and **Senate File 334** be **deferred**.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:12 a.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 1:18 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sweeney, until she returns, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 524, 340, and 528.

Senate File 524

On motion of Senator Whiting, **Senate File 524**, a bill for an act relating to sexual exploitation by a youth athletics coach and providing penalties, was taken up for consideration.

Senator Whiting offered amendment S-3084, filed by him on March 27, 2019, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3084 was adopted by a voice vote.

Senator Whiting 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. 524), the vote was:

Yeas, 47:

| | | | |
|--------------|------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, none.

Absent, 3:

| | | |
|-----------|------|---------|
| Breitbach | Nunn | Sweeney |
|-----------|------|---------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 340

On motion of Senator Edler, **Senate File 340**, a bill for an act relating to the notification of a county commission of veteran affairs of the incarceration of a veteran at a jail or municipal holding facility, 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. 340), the vote was:

Yeas, 47:

| | | | |
|--------------|------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, none.

Absent, 3:

| | | |
|-----------|------|---------|
| Breitbach | Nunn | Sweeney |
|-----------|------|---------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 528

On motion of Senator Sinclair, **Senate File 528**, a bill for an act relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces, was taken up for consideration.

Senator Sinclair offered amendment S-3051, filed by her on March 19, 2019, to pages 5 and 6 of the bill.

Senator Sinclair offered amendment S-3090, filed by her from the floor to page 1 of amendment S-3051, and moved its adoption.

Amendment S-3090 to amendment S-3051 was adopted by a voice vote.

Senator Sinclair moved the adoption of amendment S-3051, as amended.

Amendment S-3051, as amended, was adopted by a voice vote.

With the adoption of amendment S-3051, the Chair ruled amendment S-3094, filed by Senator Petersen from the floor to page 7 of the bill, out of order.

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. 528), the vote was:

Yeas, 35:

| | | | |
|--------------|--------------|------------|-----------|
| Behn | Bisignano | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Miller-Meeks | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Taylor, R. | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 12:

| | | | |
|----------|-----------|------------|---------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Mathis |
| Petersen | Smith, J. | Taylor, T. | Wahls |

Absent, 3:

| | | |
|-----------|------|---------|
| Breitbach | Nunn | Sweeney |
|-----------|------|---------|

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 340, 524, and 528** 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 589, 487, and 410.

Senate File 589

On motion of Senator Dawson, **Senate File 589**, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions, was taken up for consideration.

Senator Dawson offered amendment S-3093, filed by him from the floor to pages 1-4, 6, 10, 12, 13, and 16-18 of the bill.

The Senate stood at ease at 1:51 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:04 p.m., President Schneider presiding.

Senator Dawson asked and received unanimous consent that action on amendment S-3093 and **Senate File 589** be **deferred**.

Senate File 487

On motion of Senator Sinclair, **Senate File 487**, a bill for an act modifying the periods of time to bring criminal actions for sexual offenses against a minor, providing penalties, and including effective date provisions, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that action on **Senate File 487** be **deferred**.

Senate File 410

On motion of Senator Zaun, **Senate File 410**, a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and 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?" (S.F. 410), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|-----------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Petersen | Quirnbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, 4:

| | | | |
|-----------|----------|------|---------|
| Breitbach | Feenstra | Nunn | Sweeney |
|-----------|----------|------|---------|

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 410** 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 28, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 210, a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

Senate File 534, a bill for an act relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

ALSO: That the House has on March 28, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 14, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

Read first time under Rule 28 and referred to committee on **Judiciary**.

ALSO: That the House has on March 28, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 289, a bill for an act concerning the distribution of gambling game receipts for charitable purposes.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

House File 311, a bill for an act relating to applications involving state licenses issued or renewed by the department of agriculture and land stewardship to commercial establishments involved in the care of certain nonagricultural animals.

Read first time under Rule 28 and referred to committee on **Agriculture**.

House File 638, a bill for an act relating to landlord remedies and procedures relating to failure to timely pay rent, abandonment, and forcible entry and detainer.

Read first time under Rule 28 and attached to **similar Senate File 463**.

House File 680, a bill for an act relating to prescription drug benefits, pharmacies, pharmacy benefit managers, making penalties applicable, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

House File 689, a bill for an act relating to the removal of county veterans service officers.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

House File 731, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements.

Read first time under Rule 28 and attached to **similar Senate File 544**.

House File 737, a bill for an act relating to the regulation of persons involved with animals other than livestock and certain wild animals, providing for criminal offenses and court orders associated with animal mistreatment, and including penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:19 p.m. until 1:00 p.m., Monday, April 1, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Linda K. Gehrke, NP, ARNP from Iowa Falls—For receiving the 2015 American Association of Nurse Practitioners State of Iowa Award. Senator Sweeney.

Morgan's Corner, Ottumwa—For being nominated for Iowa's Best Burger. Senator Miller-Meeks.

The Rash Family—For their commitment to agriculture and dedication to their family farm. Senator Sweeney.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Thursday, March 28, 2019, 11:20 a.m.

Members Present: Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: Breitbach, Chair (excused).

Committee Business: SSB 1250, SSB 1252, and governor's appointments to Enhance Iowa Board.

Adjourned: 12:55 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 15, by Kraayenbrink, a resolution for commending Iowa Public Television on the statewide educational network's 50th anniversary and recognizing March 31, 2019, as Iowa Public Television Day at the Iowa State Capitol.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 16, by Chapman, a resolution for recognizing and supporting the federal government's efforts to combat illegal robocalling and spoofing.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 607, by Schneider, a bill for an act establishing the minimum age relative to various activities relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, making penalties applicable, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 608, 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 college student aid commission, and the state board of regents and certain regents institutions, and properly related matters.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 14

JUDICIARY: Dawson, Chair; Chapman and Hogg

House File 599

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Shipley

House File 743

STATE GOVERNMENT: Cournoyer, Chair; Giddens and Johnson

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 608 (SSB 1250), 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 college student aid commission, and the state board of regents and certain regents institutions, and properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 8: Bolkcom, Celsi, Dotzler, Lykam, Mathis, Ragan, T. Taylor, and Wahls. Absent, 1: Breitbach.

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 608, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

APPROPRIATIONS

Michael Broshar – Enhance Iowa Board
Rita Frahm – Enhance Iowa Board
Lisa Hein – Enhance Iowa Board
Valerie Van Kooten – Enhance Iowa Board
Mary Wells – Enhance Iowa Board

AMENDMENTS FILED

| | | | |
|--------|------|-----|-----------------------------------|
| S-3088 | S.F. | 570 | Annette Sweeney |
| S-3089 | S.F. | 376 | Jeff Edler |
| S-3090 | S.F. | 528 | Amy Sinclair |
| S-3091 | S.F. | 376 | Liz Mathis Herman C. Quirmbach |
| S-3092 | S.F. | 376 | Liz Mathis |
| S-3093 | S.F. | 589 | Dan Dawson |
| S-3094 | S.F. | 528 | Janet Petersen |
| S-3095 | S.F. | 589 | Claire Celsi Zach Wahls |

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 1, 2019

The Senate met in regular session at 1:04 p.m., President Schneider presiding.

Prayer was offered by Pastor Tony Stec, of the Valley Church in West Des Moines, Iowa. He was the guest of Senator Lofgren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Seth Fiala.

The Journal of Thursday, March 28, 2019, was approved.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:06 p.m. until the completion of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:10 p.m., President Schneider presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 17, by Giddens, Johnson, and Dotzler, a resolution for recognizing and congratulating Drew Foster on winning the 2019 National Collegiate Athletic Association Division I Wrestling National Championship in the 184-pound weight class.

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 15, a resolution for commending Iowa Public Television on the statewide educational network's 50th anniversary and recognizing March 31, 2019, as Iowa Public Television Day at the Iowa State Capitol.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Feenstra, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO

Bill Title: SENATE RESOLUTION 17, a resolution for recognizing and congratulating Drew Foster on winning the 2019 National Collegiate Athletic Association Division I Wrestling National Championship in the 184-pound weight class.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Feenstra, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Chapman.

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 15 and 17.

Senate Resolution 15

On motion of Senator Sinclair, **Senate Resolution 15**, a resolution for commending Iowa Public Television on the statewide educational network's 50th anniversary and recognizing March 31, 2019, as Iowa Public Television Day at the Iowa State Capitol, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved the adoption of Senate Resolution 15, which motion prevailed by a voice vote.

Senate Resolution 17

On motion of Senator Giddens, **Senate Resolution 17**, a resolution for recognizing and congratulating Drew Foster on winning the 2019 National Collegiate Athletic Association Division I Wrestling National Championship in the 184-pound weight class, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of Senate Resolution 17, which motion prevailed by a voice vote.

The Senate stood at ease at 1:20 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:56 p.m., President Schneider presiding.

BILL REFERRED TO COMMITTEE

President Schneider announced that **Senate File 515** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 227.

Senate File 227

On motion of Senator Brown, **Senate File 227**, a bill for an act relating to the display of registration plates on motor vehicles, 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. 227), the vote was:

Yeas, 34:

| | | | |
|----------|------------|--------------|--------------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Lykam | Miller-Meeks | Nunn |
| Ragan | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Whiting |
| Whitver | Zumbach | | |

Nays, 14:

| | | | |
|-----------|---------|----------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Mathis | Petersen | Quirmbach |
| Rozenboom | Wahls | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Zaun |
|-----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 28, 2019)

Senate File 334

The Senate resumed consideration of **Senate File 334**, a bill for an act relating to public assistance program oversight, and amendment S–3080, deferred March 28, 2019.

Senator Schultz moved the adoption of amendment S–3080.

Amendment S–3080 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. 334), the vote was:

Yeas, 30:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zumbach | | |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Zaun |
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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 Files 227 and 334** 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 378, 462, 475, and 460.

Senate File 378

On motion of Senator Dawson, **Senate File 378**, a bill for an act relating to the possession of marijuana, 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. 378), the vote was:

Yeas, 40:

| | | | |
|------------|-----------|-----------|--------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Taylor, R. |
| Taylor, T. | Wahls | Whitver | Zumbach |

Nays, 8:

| | | | |
|------|-----------|----------|----------|
| Behn | Chapman | Costello | Feenstra |
| Guth | Rozenboom | Sweeney | Whiting |

Absent, 2:

| | |
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| Breitbach | Zaun |
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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 462

On motion of Senator Nunn, **Senate File 462**, a bill for an act relating to restrictions on bailable defendants charged with homicide by motor vehicle, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 462), the vote was:

Yeas, 44:

| | | | |
|--------|-----------|----------|-----------|
| Behn | Bisignano | Bolkcom | Brown |
| Carlin | Chapman | Costello | Cournoyer |

| | | | |
|-----------|--------------|-----------|------------|
| Dawson | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, 4:

| | | | |
|---------|-------|---------|------------|
| Boulton | Celsi | Dotzler | Taylor, R. |
|---------|-------|---------|------------|

Absent, 2:

| | |
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| Breitbach | Zaun |
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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 475

On motion of Senator Cournoyer, **Senate File 475**, a bill for an act providing for notarial acts involving real estate transactions, including by the use of electronic media, providing penalties, and including effective date provisions, was taken up for consideration.

Senator Cournoyer offered amendment S-3082, filed by her on March 27, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Cournoyer offered amendment S-3097, filed by her from the floor to page 7 of amendment S-3082, and moved its adoption.

Amendment S-3097 to amendment S-3082 was adopted by a voice vote.

Senator Cournoyer moved the adoption of amendment S-3082 as amended.

Amendment S-3082, as amended, was adopted by a voice vote.

Senator Cournoyer 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. 475), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, none.

Absent, 2:

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|-----------|------|
| Breitbart | Zaun |
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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.

Senate File 460

On motion of Senator Sweeney, **Senate File 460**, a bill for an act relating to the dissemination and exhibition of obscene material to a minor by the parent or guardian of the minor, and providing penalties, was taken up for consideration.

Senator Sweeney 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. 460), the vote was:

Yeas, 48:

| | | | |
|-------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |

| | | | |
|--------------|-----------|------------|------------|
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, none.

Absent, 2:

Breitbart 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 378, 460, 462, and 475** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 577 and House File 698.

Senate File 577

On motion of Senator Garrett, **Senate File 577**, a bill for an act establishing the criminal offense of sexual exploitation of a child with a disability by an employee of a community college and providing penalties, was taken up for consideration.

Senator Hogg offered amendment S-3103, filed by him from the floor, to pages 1-3, and amending the title page of the bill, and moved its adoption.

Amendment S-3103 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. 577), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, none.

Absent, 2:

Breitbart Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

House File 698

On motion of Senator Lofgren, **House File 698**, a bill for an act relating to the jurisdiction and management of pioneer cemeteries, 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. 698), the vote was:

Yeas, 48:

| | | | |
|-------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Brown | Carlin | Celsi | Chapman |

| | | | |
|--------------|-----------|------------|------------|
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, none.

Absent, 2:

Breitbart 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 File 577** and **House File 698** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 28, 2019)

Senate File 589

The Senate resumed consideration of **Senate File 589**, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions, and amendment S-3093, deferred March 28, 2019.

Senator Dawson moved the adoption of amendment S-3093.

Amendment S-3093 was adopted by a voice vote.

Senator Kinney offered amendment S-3104, filed by him from the floor, to pages 10 and 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3104 be adopted?” (S.F. 589), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kapucian | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 29:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Koelker | Kraayenbrink | Lofgren |
| Miller-Meeks | Nunn | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, R. | Sweeney | Whiting | Whitver |
| Zumbach | | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Zaun |
|-----------|------|

Amendment S–3104 lost.

Senator Celsi offered amendment S–3095, filed by Senators Celsi and Wahls on March 28, 2019, to page 11 of the bill.

Senator Dawson raised the point of order that amendment S–3095 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3095 out of order.

Senator Bisignano offered amendment S–3102, filed by him from the floor, to page 18 of the bill.

Senator Dawson raised the point of order that amendment S–3102 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3102 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. 589), the vote was:

Yeas, 31:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zumbach | |

Nays, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Zaun |
|-----------|------|

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 Whitver asked and received unanimous consent to take up for consideration Senate File 283.

Senate File 283

On motion of Senator Edler, **Senate File 283**, a bill for an act relating to conflicts of interest in certain government public contracts, was taken up for consideration.

Senator Hogg offered amendment S-3106, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3106 be adopted?" (S.F. 283), the vote was:

Yeas, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirnbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Nays, 30:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zumbach | | |

Absent, 2:

| | |
|-----------|------|
| Breitbach | Zaun |
|-----------|------|

Amendment S-3106 lost.

Senator Hogg offered amendment S-3105, filed by him from the floor, to pages 1 and 2 of the bill, and moved its adoption.

A nonrecord roll call was requested.

Amendment S-3105 lost.

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. 283), the vote was:

Yeas, 45:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Brown |
| Carlin | Chapman | Costello | Cournoyer |
| Dawson | Dotzler | Edler | Feenstra |
| Garrett | Giddens | Greene | Guth |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zumbach | | | |

Nays, 3:

| | | |
|---------|-------|------|
| Boulton | Celsi | Hogg |
|---------|-------|------|

Absent, 2:

| | |
|-----------|------|
| Breitbach | 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 283 and 589** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 516.

Senate File 516

On motion of Senator Garrett, **Senate File 516**, a bill for an act relating to the employment of unauthorized aliens and providing penalties, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **Senate File 516** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 28, 2019)

Senate File 376

The Senate resumed consideration of **Senate File 376**, a bill for an act relating to the health education requirement for grades nine through twelve under the education standards, deferred March 28, 2019.

The Chair ruled amendment S-3091, filed by Senators Mathis and Quirmbach on March 28, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill, out of order.

Senator Edler offered amendment S-3109, filed by him from the floor to pages 1-2 of the bill.

Senator Quirmbach asked and received unanimous consent that action on amendment S-3109 and **Senate File 376** be **deferred**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:29 p.m. until 9:00 a.m., Tuesday, April 2, 2019.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Marilyn Sheahan, Sheffield—For celebrating her 90th birthday. Senator Ragan.

REPORT OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Monday, April 1, 2019, 1:05 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Chapman (excused)

Committee Business: SR 15, SR 17

Adjourned: 1:10 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 289

VETERANS AFFAIRS: Carlin, Chair; Dawson and R. Taylor

House File 311

AGRICULTURE: Zumbach, Chair; Kinney and Shipley

House File 689

VETERANS AFFAIRS: Costello, Chair; Dawson and R. Taylor

House File 737

JUDICIARY: Zaun, Chair; Bisignano and Schultz

INTRODUCTION OF BILL

Senate File 609, 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, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 609 (SSB 1251), a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 8: Bolkcom, Celsi, Dotzler, Lykam, Mathis, Ragan, T. Taylor, and Wahls. Absent, 1: Breitbach.

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 609, and they were attached to the committee report.

BILL ATTACHED

House File 700 attached to **similar Senate File 530.**

REPORT OF THE SECRETARY OF THE SENATE

March 29, 2019

The Honorable Paul Pate
Secretary of State
Hand-Delivered

Re: Transmittal of Senate Joint Resolution 18

Dear Secretary Pate:

Please find the attached Senate Joint Resolution 18 for filing with your office and appropriate publication as set out in Section 2 of the Resolution. The Resolution deals with a proposed amendment to Iowa's Constitution relating to the right of the people to keep and bear arms.

Pursuant to Joint Senate/House Rule 21(2), this specific type of "joint resolution" does not require consideration and signature by the Governor.

Sincerely,

W. Charles Smithson
Secretary of the Senate

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 29th day of March, 2019.

Senate File 556.

W. CHARLES SMITHSON
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 2019, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 556 – Relating to the membership of the life and health insurance guaranty association, assessments to member insurers for insurance written by impaired or insolvent member insurers, and including applicability and 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:

EDUCATION

Andrew Beer – Iowa Autism Council
Dr. Matthew O'Brien – Iowa Autism Council
Blake Stephenson – Iowa Autism Council
Michael Zehr – Iowa Autism Council

Diane Campbell – Early Childhood Iowa State Board
Richard Clewell – Early Childhood Iowa State Board
Zachary Stier – Early Childhood Iowa State Board

Floyd Athay – Board of Educational Examiners
David Harper – Board of Educational Examiners
Mary Johnson – Board of Educational Examiners

Mary Martha Bruckner – School Budget Review Committee
Leland Tack – School Budget Review Committee

HUMAN RESOURCES

Carole Dunkin – Commission on Aging
Suzanne Heckenlaible – Commission on Aging
Steve Van Oort – Commission on Aging

John Hollinrake – Board of Athletic Training
Christopher Kamm – Board of Athletic Training
Christopher Wiedmann – Board of Athletic Training

Echo Kent – Board of Behavioral Science
Kerry Lust – Board of Behavioral Science

Sarah Madojemu – Child Advocacy Board
Angela Stokes – Child Advocacy Board

Carol Earnhardt – Health Facilities Council

Eric Kohlsdorf – Healthy and Well Kids in Iowa (HAWK-I) Board
Dr. Kaaren Vargas – Healthy and Well Kids in Iowa (HAWK-I) Board

Carol Forristall – Council on Human Services
Rebecca Peterson – Council on Human Services
Rick Sanders – Council on Human Services

Caleb Knutson – Commission of Latino Affairs
Valerie Nolte – Commission of Latino Affairs
Gilbert Nunez – Commission of Latino Affairs

Dr. Joseph Cowley – Mental Health and Disability Services Commission
Teresa Daubitz – Mental Health and Disability Services Commission
Shari O'Bannon – Mental Health and Disability Services Commission
Maria Sorensen – Mental Health and Disability Services Commission
Cory Turner – Mental Health and Disability Services Commission

Amanda Gallant – Board of Sign Language Interpreters and Translitterators
Susan Tyrrell – Board of Sign Language Interpreters and Translitterators

Teresa Aoki – Commission on Tobacco Use Prevention and Control
Lorene Mein – Commission on Tobacco Use Prevention and Control
Robert Nichols – Commission on Tobacco Use Prevention and Control
Michele Sandquist – Commission on Tobacco Use Prevention and Control

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:

EDUCATION

Phil Hemingway – Board of Educational Examiners

David Barker – State Board of Regents

Milt Dakovich – State Board of Regents

Frederick Lindenmayer – State Board of Regents

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 1, 2019:

I am withdrawing the name of Mary Johnson to serve as a member of the Board of Education Examiners from further consideration by the Senate.

I am withdrawing the name of Joseph Crowley to serve as a member of the Mental Health and Disability Services Commission from further consideration by the Senate.

I am withdrawing the name of Mary Meyers to serve as a member of the Mental Health and Disability Services Commission 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 1, 2019:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Educational Examiners, formerly held by Dan Dutcher. 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 Service Commission, formerly held by Brett McLain. 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 Service Commission, formerly held by Mary Meyers. 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-3096 | S.F. | 302 | Chris Cournoyer |
| S-3097 | S.F. | 475 | Chris Cournoyer |
| S-3098 | S.F. | 376 | Herman C. Quirmbach |
| S-3099 | S.F. | 540 | Herman C. Quirmbach |
| S-3100 | S.F. | 516 | Julian B. Garrett |
| S-3101 | S.F. | 516 | Julian B. Garrett |
| S-3102 | S.F. | 589 | Tony Bisignano |
| S-3103 | S.F. | 577 | Robert M. Hogg |
| S-3104 | S.F. | 589 | Kevin Kinney |
| S-3105 | S.F. | 283 | Robert M. Hogg |
| S-3106 | S.F. | 283 | Robert M. Hogg |
| S-3107 | S.F. | 540 | Julian B. Garrett |
| S-3108 | S.F. | 540 | Herman C. Quirmbach |
| S-3109 | S.F. | 376 | Jeff Edler |
| S-3110 | S.F. | 516 | Kevin Kinney |

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 2, 2019

The Senate met in regular session at 9:01 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 Kate Hapgood.

The Journal of Monday, April 1, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 2019, **passed** the following bill in which the concurrence of the House was asked:

Senate File 159, 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 teacher licensure and providing for related matters.

ALSO: I am directed to inform your honorable body that the House has on April 1, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 752, a bill for an act relating to professional licensing, including by providing for a review of professional licenses and allowing for preapplication qualification reviews, and providing fees.

Read first time and referred to committee on **State Government**.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:11 a.m. until the conclusion of a meeting of the committee on Judiciary.

APPENDIX-1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Dustin Beaham, Louisa-Muscatine High School—For Being named Male Bowler of the Year Finalist and a teammate of the All Iowa Elite Boys' Bowling Team. Senator Lofgren.

Lauren Bodman, Louisa-Muscatine High School—For earning Honorable Mention Female Bowler of the Year. Senator Lofgren.

Bridges 2 Harmony Gospel Choir, Roosevelt High School, Des Moines—For their outstanding performance of the National Anthem at Governor Kim Reynolds' Inauguration Ceremony. Senator Whitver.

Gabi Evans, Louisa-Muscatine High School—For earning Honorable Mention Female Bowler of the Year. Senator Lofgren.

Tammy McCoy, Burlington—For being named 2019 Woman of Distinction by the Girls Scouts of Eastern Iowa and Western Illinois. Senator Greene.

Heather Morrison, Letts—For being named Miss Rodeo USA 2019. Senator Greene.

Whittney Morse, Louisa-Muscatine High School—For Being named Female Bowler of the Year Finalist and a teammate of the All Iowa Elite Girls' Bowling Team. Senator Lofgren.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, April 2, 2019, 10:00 a.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: None.

Committee Business: Governor Appointments. HF 311.

Adjourned: 10:45 a.m.

LOCAL GOVERNMENT

Convened: Tuesday, April 2, 2019, 3:00 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 3:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, April 2, 2019, 2:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

Members Absent: None.

Committee Business: Approval of Governor Appointments considered for the Environmental Commission. Passage of House Files 604, 599, and 325.

Adjourned: 2:25 p.m.

STATE GOVERNMENT

Convened: Tuesday, April 2, 2019, 3:10 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting.

Members Absent: Zaun (excused).

Committee Business: Governor Appointees En Bloc; HF's 634 and 590.

Adjourned: 3:35 p.m.

TRANSPORTATION

Convened: Tuesday, April 2, 2019, 1:30 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Giddens, Ranking Member; Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: None.

Committee Business: Governor Appointee Linda Juckette. HF's 387, 389, and 643.

Adjourned: 1:45 p.m.

VETERANS AFFAIRS

Convened: Tuesday, April 2, 2019, 2:00 p.m.

Members Present: Dawson, Chair; Miller-Meeks, Vice Chair; R. Taylor, Ranking Member; Carlin, Costello, Dotzler, Edler, Giddens, Koelker, Lofgren, and Ragan.

Members Absent: None.

Committee Business: HF's 289 and 689.

Adjourned: 2:20 p.m.

WAYS AND MEANS

Convened: Tuesday, April 2, 2019, 11:00 a.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: Governor's Appointees: Dir. Economic Authority – Debi Durham; Dir. Department of Revenue – Kraig Paulsen; Economic Development Authority: Jennifer Cooper, Lisa Hull, Pankaj Monga, Lisa Shimkat, Thomas Townsend. Iowa Great Places Board: Barbara Determan, Gregory Fisher, Nick Glew, Jenna Kimberley. SF 509, passed unanimously, as amended. SF 202, passed. YEAS: 16, NAYS: 1(Quirmbach). SF 427, passed unanimously, as amended. SF 401, passed. YEAS: 11, NAYS: 6 – Jochum, Bolkcom, Dotzler, Giddens, Quirmbach, and Wahls. SSB 1248, passed as amended. YEAS: 12, NAYS: 5 Jochum, Bolkcom, Dotzler, Giddens, and Quirmbach.

Adjourned: 12:15 p.m.

INTRODUCTION OF BILLS

Senate File 610, by committee on Ways and Means, a bill for an act relating to youth deer and youth wild turkey hunting licenses, and providing effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 611, by committee on Ways and Means, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILL RECEIVED

SSB 1252 Ways and Means

Relating to the assessment and taxation of pipeline companies and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

SF 515

Ways and Means: Sweeney, Chair; Schultz and Wahls

SF 607

Appropriations: Schneider, Chair; Bolkcom and Shipley

SSB 1252

Ways and Means: Feenstra, Chair; Giddens and R. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: HOUSE FILE 311, a bill for an act relating to applications involving state licenses issued or renewed by the department of agriculture and land stewardship to commercial establishments involved in the care of certain nonagricultural animals.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 606, a bill for an act relating to continuing education requirements for certain professions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 691, a bill for an act relating to funding of county mental health and disability services by modifying provisions relating to the use of specified excess cash flow funds, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 516, a bill for an act relating to voting membership on joint 911 service boards.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Edler, Greene, J. Smith, Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirmbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 325, a bill for an act relating to weapons requirements for nonambulatory hunters.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 599, a bill for an act relating to hunting by persons under the age of sixteen.

Recommendation: DO PASS.

Final Vote: Yeas, 8: Rozenboom, Shipley, Behn, Cournoyer, Kapucian, Segebart, Sweeney, and Zumbach. Nays, 5: Hogg, Boulton, Celsi, Lykam, and J. Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 604, a bill for an act relating to commercial fishing to remove underused, undesirable, and injurious organisms from waters of the state, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 387, a bill for an act relating to distance requirements for certain motor vehicles following other vehicles.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 389, 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: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 643, a bill for an act relating to driver's licenses and nonoperator's identification cards marked to reflect deaf or hard-of-hearing status.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 610, a bill for an act relating to youth deer and youth wild turkey hunting licenses, and providing effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Schultz, R. Smith, Sweeney, and Wahls. Nays, 1: Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 611, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Giddens, Quirmbach, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EVENING SESSION

The Senate reconvened at 5:14 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mathis, until she arrives, on request of Senator Petersen; and Senators Brown and Zaun, until they arrive, on request of Senator Schultz.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 597.

Senate File 597

On motion of Senator Feenstra, **Senate File 597**, a bill for an act exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers, 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. 597), the vote was:

Yeas, 47:

| | | | |
|--------------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| ShIPLEY | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zumbach | |

Nays, none.

Absent, 3:

Brown

Mathis

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 1, 2019)

Senate File 516

The Senate resumed consideration of **Senate File 516**, a bill for an act relating to the employment of unauthorized aliens and providing penalties, deferred April 1, 2019.

Senator Hogg offered amendment S-3114, 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.

A record roll call was requested.

On the question "Shall amendment S-3114 be adopted?" (S.F. 516), the vote was:

Yeas, 15:

| | | | |
|------------|------------|--------|-----------|
| Bisignano | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Lykam |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 32:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Bolkcom | Breitbach | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zumbach |

Absent, 3:

Brown

Mathis

Zaun

Amendment S–3114 lost.

Senator Hogg withdrew amendment S–3113, filed by him from the floor to page 1 of the bill.

Senator Garrett offered amendment S–3100, filed by him on April 1, 2019, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S–3100 was adopted by a voice vote.

Senator Hogg withdrew amendment S–3112, filed by him from the floor to pages 3–5 of the bill.

Senator Kinney withdrew amendment S–3110, filed by him on April 1, 2019, to pages 7 and 8 of the bill.

Senator Kinney offered amendment S–3111, filed by him from the floor to pages 7 and 8 of the bill, and moved its adoption.

Amendment S–3111 lost by a voice.

Senator Garrett offered amendment S–3101, filed by him on April 1, 2019, to page 8 of the bill, and moved its adoption.

Amendment S–3101 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. 516), the vote was:

Yeas, 33:

Behn
Chapman
Dotzler
Giddens
Kapucian
Nunn

Bisignano
Costello
Edler
Greene
Koelker
Rozenboom

Breitbach
Cournoyer
Feenstra
Guth
Kraayenbrink
Schneider

Carlin
Dawson
Garrett
Johnson
Miller-Meeks
Schultz

Segebart
Sweeney
Zumbach

Shipley
Taylor, R.

Sinclair
Whiting

Smith, R.
Whitver

Nays, 14:

Bolkcom
Jochum
Petersen
Taylor, T.

Boulton
Kinney
Quirmbach
Wahls

Celsi
Lofgren
Ragan

Hogg
Lykam
Smith, J.

Absent, 3:

Brown

Mathis

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 516** and **597** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kinney, until he returns, on request of Senator Petersen.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 600.

Senate File 600

On motion of Senator Johnson, **Senate File 600**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions, was taken up for consideration.

Senator 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. 600), the vote was:

Yeas, 46:

| | | | |
|------------|------------|--------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Lykam | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Wahls | Whiting |
| Whitver | Zumbach | | |

Nays, none.

Absent, 4:

| | | | |
|-------|--------|--------|------|
| Brown | Kinney | Mathis | Zaun |
|-------|--------|--------|------|

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 Whitver asked and received unanimous consent to take up for consideration Senate Files 114, 302, and 540.

Senate File 114

On motion of Senator Schultz, **Senate File 114**, a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Schultz offered amendment S-3052, filed by him on March 19, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Hogg raised the point of order that amendment S-3052 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3052 out of order.

Senator Schultz asked and received unanimous consent that action on **Senate File 114** be **deferred**.

Senate File 302

On motion of Senator Cournoyer, **Senate File 302**, a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable, was taken up for consideration.

Senator Cournoyer offered amendment S-3096, filed by her on April 1, 2019, to pages 1-4 of the bill, and moved its adoption.

Amendment S-3096 was adopted by a voice vote.

Senator Cournoyer 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. 302), the vote was:

Yeas, 45:

| | | | |
|------------|--------------|--------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Jochum | Johnson |
| Kapucian | Koelker | Kraayenbrink | Lofgren |
| Lykam | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zumbach | | | |

Nays, 1:

Hogg

Absent, 4:

Brown

Kinney

Mathis

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 540

On motion of Senator Garrett, **Senate File 540**, a bill for an act relating to the temporary delegation of parental authority by the parent, guardian, or legal custodian of a child, was taken up for consideration.

Senator Garrett offered amendment S-3107, filed by him on April 1, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Quirnbach offered amendment S-3108, filed by him on April 1, 2019, to page 8 of amendment S-3107, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3108 to amendment S-3107 be adopted?” (S.F. 540), the vote was:

Yeas, 1:

Quirnbach

Nays, 45:

| | | | |
|------------|-----------|--------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Lykam | Miller-Meeks | Nunn |
| Petersen | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zumbach | | | |

Absent, 4:

Brown

Kinney

Mathis

Zaun

Amendment S–3108 to amendment S–3107 lost.

With the defeat of amendment S–3108, the Chair ruled amendment S–3099, filed by Senator Quirmbach on April 1, 2019, to page 2 of the bill, out of order.

Senator Garrett moved the adoption of amendment S–3107.

Amendment S–3107 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. 540), the vote was:

Yeas, 30:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Breitbach | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zumbach | | |

Nays, 16:

| | | | |
|-----------|------------|------------|--------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Lykam | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Absent, 4:

Brown

Kinney

Mathis

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 302, 540, and 600** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano, until he returns, on request of Senator Petersen.

BUSINESS PENDING

Senate File 114

The Senate resumed consideration of **Senate File 114**, a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable, previously deferred.

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. 114), the vote was:

Yeas, 44:

| | | | |
|-----------|--------------|--------------|------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Eidler |
| Feenstra | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Koelker | Kraayenbrink | Lofgren |
| Lykam | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, 1:

Taylor, R.

Absent, 5:

Bisignano
Zaun

Brown

Kinney

Mathis

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 114** be **immediately messaged** to the House.

On motion of Senator Whitver, the Senate adjourned at 7:45 p.m. until 9:00 a.m., Wednesday, April 3, 2019.

APPENDIX-2

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Devin Matthew LeRette, Muscatine—For reaching the rank of Eagle Scout; Troop #426. Senator Lofgren.

STUDY BILL RECEIVED

SSB 1253 Appropriations

Relating to appropriations for health and human services and veterans, including other related appropriations and provisions and including effective date and retroactive and other applicability date provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1253

Appropriations: Breitbach, Chair; Kraayenbrink and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: HOUSE FILE 223, a bill for an act relating to reimbursement of witness mileage expenses.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 224, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 265, a bill for an act relating to the confidentiality of search warrant information.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 594, a bill for an act relating to limitations regarding the withdrawal of a life-sustaining procedure from a minor child.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 659, a bill for an act relating to pretrial contact between a prosecuting witness who is a minor and the defendant.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 709, a bill for an act relating to the suspension of a child support order relative to child in need of assistance proceedings.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 719, a bill for an act relating to participation in conciliation related to a dissolution of marriage.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 685, a bill for an act relating to the payment of required medical aid provided to prisoners of county jails.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Edler, Greene, J. Smith, Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirnbach, and Segebart. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 590, a bill for an act relating to tax return preparers, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 634, a bill for an act relating to certain boards and councils in the department of human rights including the establishment of the justice advisory board and the elimination of the criminal and juvenile justice planning advisory council, the public safety advisory board, and the sex offender research council.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. Absent, 1, Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 289, a bill for an act concerning the distribution of gambling game receipts for charitable purposes.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Dawson, Miller-Meeks, R. Taylor, Carlin, Costello, Dotzler, Edler, Giddens, Koelker, Lofgren, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 689, a bill for an act relating to the removal of county veterans service officers.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Dawson, Miller-Meeks, R. Taylor, Carlin, Costello, Dotzler, Edler, Giddens, Koelker, Lofgren, and Ragan. Nays, none. 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:

AGRICULTURE

Gretchen McLain – Agricultural Development Board

Monica Bieri – Grain Indemnity Fund Board, Iowa
Curtis Sindergard – Grain Indemnity Fund Board, Iowa

Paula Ellis – Soil Conservation Committee, State
Colleen Miller – Soil Conservation Committee, State
Patricia Ruff – Soil Conservation Committee, State

HUMAN RESOURCES

Dr. Amy Mooney – Board of Behavioral Science

JUDICIARY

Ashley Hunt – Iowa State Civil Rights Commission
Angela Jackson – Iowa State Civil Rights Commission
Justin Johnston – Iowa State Civil Rights Commission
Patricia Lipski – Iowa State Civil Rights Commission

Mark DeJong – Board of Corrections
Dr. Lisa Hill – Board of Corrections
Webster Kranto – Board of Corrections
Lawrence Kudej – Board of Corrections

Ardyth Slight – Criminal and Juvenile Justice Planning Advisory Council

Warren Hunsberger, Jr. – Iowa Drug Policy Advisory Council
Jane Larkin – Iowa Drug Policy Advisory Council

Timothy Carmody – Iowa Law Enforcement Academy Council
David Lorenzen – Iowa Law Enforcement Academy Council

NATURAL RESOURCES AND ENVIRONMENT

Stephanie Dykshorn – Environmental Protection Commission
Amy Echard – Environmental Protection Commission
Tim Kaldenberg – Environmental Protection Commission
Ralph Lents – Environmental Protection Commission

STATE GOVERNMENT

Janet Phipps Burkhead – Director of the Department of Administrative Services

Gary Nystrom – Alcoholic Beverages Commission

Maureen Hardy – Board of Barbering

Joseph Van Lent – Commission for the Blind

Susan Oltrogge – Boiler and Pressure Vessel Board

Dr. Jason Wall – Board of Chiropractic

John Murphy – Commission on Community Action Agencies

Lucas Knight – Board of Cosmetology Arts and Sciences

Dr. Monica Foley – Board of Dentistry

John Claeys – Electrical Examining Board

Paul Herold – Engineering and Land Surveying Examining Board

Jack Jones – Engineering and Land Surveying Examining Board

Larry Johnson – Director of the Department of Inspections and Appeals

Justin Kirchhoff – Investment Board of the IPERS

Wayne Walter – Investment Board of the IPERS

Josh Cook – Iowa Lottery Authority Board of Directors

Mary Rathje – Iowa Lottery Authority Board of Directors

David Roederer – Director of the Department of Management

Diane Cortese – Board of Medicine

Dr. Joyce Vista-Wayne – Board of Medicine

Dr. Nikhil Wagle – Board of Medicine

Dr. Nancy Kramer – Board of Nursing

Mark Odden – Board of Nursing

Penny Cutler-Bermudez – Board of Nursing Home Administrators

Karol Dammann – Board of Nursing Home Administrators

Dr. Thomas Hayden – Board of Optometry

Tamie Stahl – Board of Optometry

Dane Nealson – Board of Pharmacy

Joan Skogstrom – Board of Pharmacy

Dr. Kathryn (Kathy) Stone – Board of Pharmacy

Brandon Butters – Board of Respiratory Care
Jennifer Finney – Board of Respiratory Care

Amy Courneya – Board of Social Work
Tony Raymer – Board of Social Work
Jody Weigel – Board of Social Work

Karen Bryant – Board of Speech Pathology and Audiology

Stephanie Groen – Director of Office for State-Federal Relations

Dr. Dewayne Rahe – Iowa Board of Veterinary Medicine

TRANSPORTATION

Linda Juckette – State Transportation Commission

WAYS AND MEANS

Jennifer Cooper – Economic Development Authority
Lisa Hull – Economic Development Authority
Pankaj Monga – Economic Development Authority
Lisa Shimkat – Economic Development Authority
Thomas Townsend – Economic Development Authority

Barbara Determan – Iowa Great Places Board
Gregory Fisher – Iowa Great Places Board
Nick Glew – Iowa Great Places Board
Jenna Kimberley – Iowa Great Places 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 SERVICES

Gerd Clabaugh – Director of Public Health

JUDICIARY

Jeffery Wright – State Public Defender

WAYS AND MEANS

Deborah (Debi) Durham – Director of the Economic Development Authority
Kraig Paulsen – Director of Revenue

AMENDMENTS FILED

| | | | |
|--------|------|-----|----------------|
| S-3111 | S.F. | 516 | Kevin Kinney |
| S-3112 | S.F. | 516 | Robert M. Hogg |
| S-3113 | S.F. | 516 | Robert M. Hogg |
| S-3114 | S.F. | 516 | Robert M. Hogg |

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVEN SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 3, 2019

The Senate met in regular session at 9:11 a.m., President Schneider presiding.

Prayer was offered by Rabbi David Kaufman of the Temple B'nai Jeshurun in Des Moines, Iowa. He was the guest of Senator Schneider.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Piper LaGrange.

The Journal of Tuesday, April 2, 2019, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Stephanie Groen, the governor's appointee to be the Director of State-Federal Relations. She was the guest Senators R. Smith and T. Taylor and the committee on State Government.

SPECIAL GUESTS

Senator Nunn introduced to the Senate chamber Israeli Ambassador Ron Dermer and Consul General Aviv Ezra.

Ambassador Dermer addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 10:05 a.m. until 9:00 a.m., Thursday, April 4, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, April 3, 2019, 2:45 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Giddens, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, and Wahls,

Members Absent: Zaun, Chair; and Edler (both excused).

Committee Business: Appointment of Mayra Martinez, and Nicholas Nopoulos. HF 637, HF 598.

Adjourned: 3:10 p.m.

JUDICIARY

Convened: Tuesday, April 2, 2019, 4:00 p.m.

Members Present: Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Zaun, Chair (excused).

Committee Business: Governor Appointments HF 223-Senator Schultz-Reimbursement of Witness Mileage HF 265-Senate Whiting-Search Warrants HF 709-Senator Nunn-Child Support in CINA HF 659-Senator Sweeney-Pretrial Contact-Minor Witness HF 707-Senator Garrett-Service of Process HF 224-Senator Chapman-Lascivious Conduct with a Minor HF 719-Senator Garrett-Dissolution Conciliation HF-594 Senator Schultz-Withdrawal of Life Support

Adjourned: 4:45 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, April 3, 2019, 2:45 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor.

Members Absent: Bisignano (excused).

Committee Business: Organizational meeting.

Adjourned: 3:05 p.m.

STATE GOVERNMENT

Convened: Wednesday, April 3, 2019, 1:10 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting.

Members Absent: Zaun, Chair (excused).

Committee Business: HF 392, HF 692, HF 694, HF 743.

Adjourned: 2:40 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 18, by Nunn, a resolution for reaffirming 40 years of diplomatic relations between the United States and the People's Republic of China.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 612, by Committee on Ways and Means, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 613, by committee on Ways and Means, a bill for an act relating to the established season for hunting game birds on a preserve, and providing for fees.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILLS RECEIVED**SSB 1254 Appropriations**

Relating to appropriations to the judicial branch.

SSB 1255 Appropriations

Relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**SF 103
(Reassigned)**

WAYS AND MEANS: Feenstra, Chair; Dawson and Giddens

**SF 131
(Reassigned)**

WAYS AND MEANS: Dawson, Chair; Carlin and Giddens

SF 202

WAYS AND MEANS: Brown, Chair; Edler and Giddens

**SF 257
(Reassigned)**

WAYS AND MEANS: Feenstra, Chair; Brown and Giddens

SF 281

WAYS AND MEANS: Sweeney, Chair; Behn and Giddens

SF 293

WAYS AND MEANS: Sweeney, Chair; Behn and Giddens

SF 596

WAYS AND MEANS: Feenstra, Chair; Brown and Giddens

HF 680

HUMAN RESOURCES: Costello, Chair; Edler and Mathis

HF 752

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Giddens

**SSB 1187
(Reassigned)**

WAYS AND MEANS: Feenstra, Chair; Giddens and Sweeney

SSB 1188
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Brown and Giddens

SSB 1254

APPROPRIATIONS: Garrett, Chair; Bolkcom, Breitbach, Celsi, Costello, Dotzler, Greene, Guth, Johnson, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

SSB 1255

APPROPRIATIONS: Garrett, Chair; Bolkcom, Breitbach, Celsi, Costello, Dotzler, Greene, Guth, Johnson, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: HOUSE FILE 263, a bill for an act relating to application fees for certain consumer loans.

Recommendation: DO PASS.

Final Vote: Yeas, 16: Chapman, Koelker, Lykam, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirmbach, Sinclair, and R. Smith. Nays, none. Absent, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 598, a bill for an act relating to the assignment of pupils who are siblings to classrooms by school districts.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Sinclair, Cournoyer, Quirmbach, Behn, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Wahls. Nays, 3: Celsi, Giddens, and J. Smith. Absent, 2: Edler and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 637, a bill for an act relating to reports relating to misconduct of certain school employees required to be submitted to the board of educational examiners.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Giddens, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, and Wahls. Nays, none. Absent, 2: Edler and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 707, a bill for an act relating to service of process relating to juvenile delinquency proceedings and termination of the parent-child relationship proceedings.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN S-3115

Final Vote: Yeas, 14: Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: HOUSE FILE 531, a bill for an act concerning unemployment insurance and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 7: Schultz, Whiting, Brown, Carlin, Guth, Koelker, and Nunn. Nays, 3: T. Taylor, Dotzler, and R. Taylor. Absent, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 392, a bill for an act relating to competitive bidding requirements applicable to certain governmental officials and employees.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 694, a bill for an act establishing an emergency medical services personnel licensure interstate compact.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 612 (SSB 1174), a bill for an act relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 612, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 613, a bill for an act relating to the established season for hunting game birds on a preserve, and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, Sweeney, and Wahls. Nays, 5: Jochum, Bolkcom, Dotzler, Giddens, 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 613, 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:

COMMERCE

Mark Schuling – Consumer Advocate

Katie Averill – Superintendent of Credit Unions

Tyler Campbell – Credit Union Review Board

Scott Zahnle – Credit Union Review Board

Amy Reasner – Iowa Finance Authority

Michael Van Milligen – Iowa Finance Authority

Daniel Seufferlein – Title Guaranty Division Board

Geri Huser – Chair of the Utilities Board

Nick Wagner – Utilities Board

EDUCATION

Nicholos Nopoulos – Iowa Autism Council

STATE GOVERNMENT

Ashley Bahr – Board of Hearing Aid Specialist

Dr. Ronald Kolegraff – Board of Medicine

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

Mayra Martinez – 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 without recommendation for confirmation:

COMMERCE

Barb Kniff-McCulla – Chairperson of Telecommunications and Technology Commission

Barb Kniff-McCulla – Telecommunications and Technology Commission

LABOR AND BUSINESS RELATIONS

Rod Roberts – Labor Commissioner

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 3, 2019:

I am withdrawing the name of Steven Dust to serve as a member of the Iowa Finance Authority Board of Directors from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on April 3, 2019:

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for the appointment to the Iowa Finance Authority Board of Directors, formerly held by Jeffrey Heil. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENT FILED

S-3115 H.F. 707 Judiciary

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 4, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was offered by Pastor Stan Johnson from Iowa Falls, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Meis.

The Journal of Wednesday, April 3, 2019 was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 140, a bill for an act relating to special minor's driver's licenses for students attending accredited nonpublic schools.

Senate File 208, a bill for an act increasing the maximum allowable length for stinger-steered automobile transporters.

Senate File 245, a bill for an act relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

Senate File 246, a bill for an act relating to requirements for eligibility under the all Iowa opportunity scholarship program.

Senate File 333, a bill for an act relating to nonsubstantive Code corrections.

Senate File 532, a bill for an act relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions.

Senate File 558, a bill for an act relating to requirements for domestic surplus lines insurers.

Senate File 569, a bill for an act relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, and including effective date provisions.

ALSO: That the House has on April 3, 2019, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 230, a bill for an act relating to manufacturers of native distilled spirits and beer. (S-3116)

ALSO: That the House has on April 3, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 267, a bill for an act relating to clerks of court, including the number of counties in which a clerk may serve and residency requirements.

Read first time and attached to **similar Senate File 464**.

House File 390, a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft.

Read first time and attached to **companion Senate File 266**.

House File 418, a bill for an act relating to commercial driver's license requirements, and including applicability provisions.

Read first time and attached to **similar Senate File 226**.

House File 419, a bill for an act relating to professional standards for the certification or designation of music therapists and providing penalties.

Read first time and referred to committee on **State Government**.

House File 701, a bill for an act relating to the continuance of lawful preexisting nonconforming uses by manufactured, modular, and mobile homes and site-built dwelling units.

Read first time and attached to **similar Senate File 368**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Debi Durham, the governor's appointee to be Director of the Economic Development Authority. She was the guest of Senators Giddens and R. Smith and the committee on Ways and Means.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:07 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.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 13, a resolution for honoring and recognizing the special relationship between Taiwan and the State of Iowa.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. 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 13.

Senate Resolution 13

On motion of Senator Nunn, **Senate Resolution 13**, a resolution for honoring and recognizing the special relationship between Taiwan and the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Nunn moved the adoption of Senate Resolution 13, which motion prevailed by a voice vote.

BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Whitver asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the Unfinished Business Calendar:

| | |
|----------------------------|----------------------------|
| SF 152 | SF 446 and attached HF 393 |
| SF 153 and attached HF 323 | SF 461 |
| SF 186 and attached HF 499 | SF 463 and attached HF 638 |
| SF 226 and attached HF 418 | SF 464 and attached HF 267 |
| SF 228 | SF 477 and attached HF 644 |
| SF 266 and attached HF 390 | SF 479 and attached HF 690 |
| SF 268 | SF 522 |
| SF 320 and attached HF 260 | SF 525 |
| SF 322 | SF 530 and attached HF 700 |
| SF 329 | SF 541 and attached HF 625 |
| SF 335 | SF 542 and attached HF 518 |
| SF 338 | SF 544 and attached HF 731 |
| SF 342 | SF 546 and attached HF 679 |
| SF 368 and attached HF 701 | SF 557 |
| SF 375 | SF 562 |
| SF 379 | SF 563 |
| SF 389 | SF 565 and attached HF 623 |
| SF 402 | SF 579 |
| SF 403 | SF 580 and attached HF 650 |

| | |
|----------------------------|----------------------------|
| SF 409 | SF 582 |
| SF 415 and attached HF 423 | SF 594 and attached HF 734 |
| SF 416 | SF 608 |
| SF 424 and attached HF 610 | SF 609 |
| SF 425 and attached HF 591 | SJR 19 |
| SF 426 | |

BILLS REFERRED TO COMMITTEE

Senator Whitver asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

| | |
|--------|-----------------------------------|
| SF 376 | Education |
| SF 487 | Judiciary |
| SF 115 | Judiciary |
| SF 116 | Judiciary |
| SF 199 | Education |
| SF 336 | State Government |
| SF 345 | Judiciary |
| SF 369 | Judiciary |
| SF 393 | Judiciary |
| SF 411 | Local Government |
| SF 414 | Human Resources |
| SF 428 | Transportation |
| SF 430 | Labor and Business Relations |
| SF 439 | Education |
| SF 459 | Judiciary |
| SF 476 | Labor and Business Relations |
| SF 480 | Education |
| SF 486 | Judiciary |
| SF 489 | Human Resources |
| SF 490 | Human Resources |
| SF 500 | Judiciary |
| SF 501 | Judiciary |
| SF 503 | Natural Resources and Environment |
| SF 504 | Commerce |
| SF 508 | Local Government |
| SF 517 | Judiciary |
| SF 527 | Commerce |

| | |
|--------|------------------------------|
| SF 529 | Veterans Affairs |
| SF 535 | Commerce |
| SF 539 | Education |
| SF 545 | Human Resources |
| SF 566 | Labor and Business Relations |
| SF 568 | Judiciary |
| SF 571 | Judiciary |
| SF 573 | Judiciary |
| SF 574 | State Government |
| SF 575 | State Government |
| SF 578 | Judiciary |
| SF 584 | Judiciary |
| SF 585 | Judiciary |
| SF 586 | Judiciary |
| SF 587 | Judiciary |
| SF 588 | Judiciary |
| SF 591 | Agriculture |
| SJR 21 | State Government |
| SCR 6 | Human Resources |
| SCR 8 | Education |

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:24 a.m. until 1:00 p.m., Monday, April 8, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Department of Agriculture and Land Stewardship Expenditures Report, pursuant to 2018 Iowa Acts, HF 2491. Report received on April 1, 2019.

DEPARTMENT OF NATURAL RESOURCES

Quarterly Expenditure Report, pursuant to 2018 Iowa Acts, HF 2491, section 11. Report received on April 4, 2019.

OFFICE OF OMBUDSMAN

Annual Report, pursuant to Iowa Code section 2C.18. Report received on April 1, 2019.

BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C. Report received on April 2, 2019.

DEPARTMENT OF REVENUE

Corporate Income Tax – Research Activities Credit Report, pursuant to Iowa Code section 422.33. Report received on April 1, 2019.

Economic Development Award – Research Activities Credit Report, pursuant to Iowa Code section 15.335. Report received on April 1, 2019.

Individual Income Tax – Research Activities Credit Report, pursuant to Iowa Code section 422.10. Report received on April 1, 2019.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, April 4, 2019, 10:05 a.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: None.

Committee Business: SSBs 1254 and 1255.

Adjourned: 11:25 a.m.

JUDICIARY

Convened: Thursday, April 4, 2019, 1:05 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and R. Taylor.

Members Absent: Whiting (excused).

Committee Business: HFs 566, 732, and 737.

Adjourned: 2:40 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, April 4, 2019, 9:05 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: SR 13 and governor's appointee.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: Thursday, April 4, 2019, 11:40 a.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Chapman (excused).

Committee Business: SF 366 passed, as amended. Yeas, 10. Nays, 6.

Adjourned: 12:40 p.m.

INTRODUCTION OF BILL

Senate File 614, by committee on Ways and Means, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

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 292, a bill for an act relating to the frequency of the reporting of the annual analysis and findings relative to Medicaid managed care member appeals.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3121.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 532, a bill for an act relating to the awarding of medical residency positions in the state.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3122.

Final Vote: Yeas, 12: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Greene, Jochum, Johnson, Quirmbach, and Ragan. Nays, none. Absent, 1: Garrett.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 566, a bill for an act relating to criminal trespass while hunting, fishing, or trapping, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and R. Taylor. Nays, none. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 732, a bill for an act relating to the medical cannabidiol Act.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3124.

Final Vote: Yeas, 13: Zaun, Dawson, Kinney, Bisignano, Chapman, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, and R. Taylor. Nays, 1: Garrett. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 737, a bill for an act relating to the regulation of persons involved with animals other than livestock and certain wild animals, providing for criminal offenses and court orders associated with animal mistreatment, and including penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, and Sinclair. Nays, 2: Sweeney and R. Taylor. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 692, a bill for an act relating to the tracking and counting of mailed absentee ballots.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3119.

Final Vote: Yeas, 8: R. Smith, Johnson, Chapman, Cournoyer, Feenstra, Miller-Meeks, Schultz, and Whiting. Nays, 5: Celsi, Dawson, Giddens, Jochum, and T. Taylor. Absent, 2: Bisignano and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 743, a bill for an act requiring that the general assembly provide for the publication of certain material and associated electronic records pertaining to official legal publications.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3118.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Giddens, Jochum, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 614 (formerly SF 427), a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 614, and they were attached to the committee report.

APPOINTMENT

The following appointee was submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

TRANSPORTATION COMMISSION, STATE (Sec. 307A.1A)
Richard Arnold, Russell

07/01/2019 – 06/30/2023

The appointment was 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 appointment to a state board, commission, or department to Senate standing committee, as indicated for investigation on April 4, 2019:

TRANSPORTATION

Richard Arnold – State Transportation Commission

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Mark Schuling to Consumer Advocate be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

JAKE CHAPMAN

AMENDMENTS FILED

| | | | |
|--------|------|-----|------------------|
| S-3116 | S.F. | 230 | House |
| S-3117 | H.F. | 604 | Tim L. Kapucian |
| S-3118 | H.F. | 743 | State Government |
| S-3119 | H.F. | 692 | State Government |
| S-3120 | H.F. | 599 | Chris Cournoyer |
| S-3121 | H.F. | 292 | Human Resources |
| S-3122 | H.F. | 532 | Human Resources |

| | | | |
|--------|------|-----|-------------------------|
| S-3123 | S.F. | 608 | William A. Dotzler, Jr. |
| S-3124 | H.F. | 732 | Mark Lofgren |
| | | | Judiciary |

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 8, 2019

The Senate met in regular session at 1:03 p.m., President Schneider presiding.

Prayer was offered by Pastor Haddon Anderson of the Garner E-Free Church in Garner, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Joshua Lowry of Sioux City, Iowa. He was the guest of Senator J. Smith.

The Journal of Thursday, April 4, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 756, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Read first time and referred to committee on **Appropriations**.

House File 758, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

President Pro Tempore Behn took the chair at 1:06 p.m.

President Schneider took the chair at 1:09 p.m.

The Senate stood at ease at 1:13 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:15 p.m., President Schneider presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Whitver called up the following eligible appointees on the En Bloc Confirmation Calendar:

Courtney DeRonde, Accountancy Examining Board
Michelle O'Neill, Accountancy Examining Board

Carole Dunkin, Commission on Aging
Suzanne Heckenlaible, Commission on Aging
Steve Van Oort, Commission on Aging

Gretchen McLain, Agricultural Development Board

Gary Nystrom, Alcoholic Beverages Commission

Kolby DeWitt, Architectural Examining Board
Anna Harmon, Architectural Examining Board

John Hollinrake, Board of Athletic Training
Christopher Kamm, Board of Athletic Training
Christopher Wiedmann, Board of Athletic Training

Andrew Beer, Iowa Autism Council
Nicholos Nopoulos, Iowa Autism Council
Dr. Matthew O'Brien, Iowa Autism Council
Blake Stephenson, Iowa Autism Council
Michael Zehr, Iowa Autism Council

Maureen Hardy, Board of Barbering

Echo Kent, Board of Behavioral Science
Kerry Lust, Board of Behavioral Science
Dr. Amy Mooney, Board of Behavioral Science

Joseph Van Lent, Commission for the Blind

Susan Oltrogge, Boiler and Pressure Vessel Board

Sarah Madojemu, Child Advocacy Board
Angela Stokes, Child Advocacy Board

Dr. Jason Wall, Board of Chiropractic

Mari Bunney, City Development Board
MacKenzie O'Hair, City Development Board

Ashley Hunt, Iowa State Civil Rights Commission
Angela Jackson, Iowa State Civil Rights Commission
Justin Johnston, Iowa State Civil Rights Commission
Patricia Lipski, Iowa State Civil Rights Commission

John Murphy, Commission on Community Action Agencies

Dr. Lisa Hill, Board of Corrections
Webster Kranto, Board of Corrections
Lawrence Kudej, Board of Corrections

Lucas Knight, Board of Cosmetology Arts and Sciences

Russell Hopp, County Finance Committee
Melvyn Houser, County Finance Committee
Amanda Waske, County Finance Committee

Katie Averill, Superintendent of Credit Unions

Tyler Campbell, Credit Union Review Board
Scott Zahnle, Credit Union Review Board

Ardyth Slight, Criminal and Juvenile Justice Planning Advisory Council

Dr. Gregory Ceraso, Board of Dentistry
Dr. Monica Foley, Board of Dentistry
Dr. Lisa Holst, Board of Dentistry

Dr. Julie Eichenberger, Board of Dietetics

Warren Hunsberger, Jr., Iowa Drug Policy Advisory Council
Jane Larkin, Iowa Drug Policy Advisory Council

Diane Campbell, Early Childhood Iowa State Board
Richard Clewell, Early Childhood Iowa State Board
Mayra Martinez, Early Childhood Iowa State Board
Zachary Stier, Early Childhood Iowa State Board

Jennifer Cooper, Economic Development Authority
Lisa Hull, Economic Development Authority
Pankaj Monga, Economic Development Authority
Lisa Shimkat, Economic Development Authority
Thomas Townsend, Economic Development Authority

Floyd Athay, Board of Educational Examiners
David Harper, Board of Educational Examiners

Colby Black, Electrical Examining Board
John Claeys, Electrical Examining Board

Amy Infelt, Elevator Safety Board
Marvin Schumacher, Elevator Safety Board

Paul Herold, Engineering and Land Surveying Examining Board
Jack Jones, Engineering and Land Surveying Examining Board

Michael Broshar, Enhance Iowa Board
Rita Frahm, Enhance Iowa Board
Lisa Hein, Enhance Iowa Board
Valerie Van Kooten, Enhance Iowa Board
Mary Wells, Enhance Iowa Board

Stephanie Dykshorn, Environmental Protection Commission
Amy Echard, Environmental Protection Commission
Tim Kaldenberg, Environmental Protection Commission
Ralph Lents, Environmental Protection Commission

Amy Reasner, Iowa Finance Authority
Michael Van Milligen, Iowa Finance Authority

Monica Bieri, Grain Indemnity Fund Board, Iowa
Curtis Sindergard, Grain Indemnity Fund Board, Iowa

Barbara Determan, Iowa Great Places Board
Gregory Fisher, Iowa Great Places Board
Nick Glew, Iowa Great Places Board
Jenna Kimberley, Iowa Great Places Board

Carol Earnhardt, Health Facilities Council

Eric Kohlsdorf, Healthy and Well Kids in Iowa (HAWK-I) Board
Dr. Kaaren Vargas, Healthy and Well Kids in Iowa (HAWK-I)
Board

Ashley Bahr, Board of Hearing Aid Specialists
Molly Parker, Board of Hearing Aid Specialists

Carol Forristall, Council on Human Services
Rebecca Peterson, Council on Human Services
Rick Sanders, Council on Human Services

Larry Johnson, Director of the Department of Inspections and
Appeals

Todd Mithelman, Interior Design Examining Board
Katherine Stavneak, Interior Design Examining Board

Nathan Borland, Landscape Architectural Examining Board
Brenda Nelson, Landscape Architectural Examining Board

Caleb Knutson, Commission of Latino Affairs
Valerie Nolte, Commission of Latino Affairs
Gilbert Nunez, Commission of Latino Affairs

Timothy Carmody, Iowa Law Enforcement Academy Council
David Lorenzen, Iowa Law Enforcement Academy Council

Josh Cook, Iowa Lottery Authority Board of Directors
Mary Rathje, Iowa Lottery Authority Board of Directors

David Roederer, Director of the Department of Management

Irene Richards, Board of Massage Therapy
Catherine Sampson, Board of Massage Therapy
LeAnn Stevens, Board of Massage Therapy

Diane Cortese, Board of Medicine
Dr. Ronald Kolegraff, Board of Medicine
Dr. Joyce Vista-Wayne, Board of Medicine
Dr. Nikhil Wagle, Board of Medicine

Teresa Daubitz, Mental Health and Disability Services
Commission
Shari O'Bannon, Mental Health and Disability Services
Commission

Maria Sorensen, Mental Health and Disability Services
Commission

Cory Turner, Mental Health and Disability Services Commission

Kathy Johnson, Mental Health Risk Pool Board
Eugene Meiners, Mental Health Risk Pool Board
Cheryl Plank, Mental Health Risk Pool Board
Karla Webb, Mental Health Risk Pool Board

Carl Linge, Board of Mortuary Science
Maria Lundberg, Board of Mortuary Science

Vicky Apala-Cuevas, Commission of Native American Affairs
Patrick Bigsby, Commission of Native American Affairs
Kelly Montijo Fink, Commission of Native American Affairs
Anthony Waseskuk, Commission of Native American Affairs

Dr. Nancy Kramer, Board of Nursing
Mark Odden, Board of Nursing

Karol Dammann, Board of Nursing Home Administrators

Dr. Thomas Hayden, Board of Optometry
Tamie Stahl, Board of Optometry

Dane Nealson, Board of Pharmacy
Joan Skogstrom, Board of Pharmacy
Dr. Kathryn (Kathy) Stone, Board of Pharmacy

Stephanie Kelsick, Board of Physical and Occupational Therapy
Jeramy Kuhn, Board of Physical and Occupational Therapy
Holly Little, Board of Physical and Occupational Therapy

Dr. Kevin de Regnier, Board of Physician Assistants
Laura Delaney, Board of Physician Assistants
Melissa Gentry, Board of Physician Assistants
Michael Schnurr, Board of Physician Assistants

Dr. Theresa Hughes, Board of Podiatry
Dr. Eugene Nassif, Board of Podiatry
Dr. Mindy Trotter, Board of Podiatry

Elizabeth Goodman, Chair of the Property Assessment Appeal Board

Elizabeth Goodman, Property Assessment Appeal Board
Dennis Loll, Property Assessment Appeal Board

Justin Rhode, Board of Psychology
Dr. Lisa Streyffeler, Board of Psychology

Vernon (Fred) Greder, Jr., Real Estate Appraiser Examining Board

Twee Duong, Real Estate Commission
Dennis Stolk, Real Estate Commission

Brandon Butters, Board of Respiratory Care
Jennifer Finney, Board of Respiratory Care

Mary Martha Bruckner, School Budget Review Committee
Leland Tack, School Budget Review Committee

Amanda Gallant, Board of Sign Language Interpreters and Translitterators

Susan Tyrrell, Board of Sign Language Interpreters and Translitterators

Amy Courneya, Board of Social Work

Tony Raymer, Board of Social Work

Jody Weigel, Board of Social Work

Paula Ellis, State Soil Conservation Committee

Colleen Miller, State Soil Conservation Committee

Patricia Ruff, State Soil Conservation Committee

Ashley Bahr, Board of Speech Pathology and Audiology

Karen Bryant, Board of Speech Pathology and Audiology

Daniel Seufferlein, Title Guaranty Division Board

Teresa Aoki, Commission on Tobacco Use Prevention and Control

Lorene Mein, Commission on Tobacco Use Prevention and Control

Robert Nichols, Commission on Tobacco Use Prevention and Control

Michele Sandquist, Commission on Tobacco Use Prevention and Control

Linda Juckette, State Transportation Commission

Geri Huser, Chair of the Utilities Board

Nick Wagner, Utilities Board

Charles Connors, Commission of Veterans Affairs

Orene Cressler, Commission of Veterans Affairs

Steven Hyde, Commission of Veterans Affairs

Kenneth Lloyd, Commission of Veterans Affairs

Darlene McMartin, Commission of Veterans Affairs

Gregory Paulline, Commission of Veterans Affairs

Dr. Dewayne Rahe, Iowa Board of Veterinary Medicine

Senator Whitver moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of David Barker as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |

| | | | |
|--------------|-----------|------------|------------|
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 1:

Celsi

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Milt Dakovich as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Frederick Lindenmayer as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 226, 266, and 320.

Senate File 226

On motion of Senator Breitbach, **Senate File 226**, a bill for an act relating to commercial driver's license requirements, and including applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach offered amendment S-3128, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3128 was adopted by a voice vote.

Senator Breitbach asked and received unanimous consent that **House File 418** be **substituted** for **Senate File 226**.

House File 418

On motion of Senator Breitbach, **House File 418**, a bill for an act relating to commercial driver's license requirements, and including applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 418), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Breitbach asked and received unanimous consent that **Senate File 226** be **withdrawn** from further consideration of the Senate.

Senate File 266

On motion of Senator Koelker, **Senate File 266**, a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Koelker asked and received unanimous consent that **House File 390** be **substituted** for **Senate File 266**.

House File 390

On motion of Senator Koelker, **House File 390**, a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 390), the vote was:

Yeas, 50:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |

| | | | |
|------------|--------------|-----------|------------|
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Koelker asked and received unanimous consent that **Senate File 266** be **withdrawn** from further consideration of the Senate.

Senate File 320

On motion of Senator Nunn, **Senate File 320**, a bill for an act relating to permissible interest rates and charges for certain loans, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Nunn asked and received unanimous consent that **House File 260** be **substituted** for **Senate File 320**.

House File 260

On motion of Senator Nunn, **House File 260**, a bill for an act relating to permissible interest rates and charges for certain loans, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 260), the vote was:

Yeas, 40:

| | | | |
|-----------|-----------|--------------|--------------|
| Behn | Bisignano | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Edler | Feenstra |
| Garrett | Greene | Guth | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Taylor, R. |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 10:

| | | | |
|------------|--------|---------|-----------|
| Bolkcom | Celsi | Dotzler | Giddens |
| Hogg | Jochum | Lykam | Smith, J. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Nunn asked and received unanimous consent that **Senate File 320** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 260, 390, and 418** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 402, 403, and 580.

Senate File 402

On motion of Senator Breitbach, **Senate File 402**, a bill for an act providing for the good-faith submission of information, records, applications, and documents to the credit union division, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 402), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 403

On motion of Senator Breitbach, **Senate File 403**, a bill for an act relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 403), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 580

On motion of Senator Schultz, **Senate File 580**, a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Schultz offered amendment S-3125, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3125 was adopted by a voice vote.

Senator Schultz asked and received unanimous consent that **House File 650** be substituted for **Senate File 580**.

House File 650

On motion of Senator Schultz, **House File 650**, a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 650), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schultz asked and received unanimous consent that **Senate File 580** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 402 and 403** and **House File 650** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 609.

Senate File 609

On motion of Senator Shipley, **Senate File 609**, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

The Senate stood at ease at 3:59 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:27 p.m., President Schneider presiding.

Senator Breitbach offered amendment S-3127, filed by him from the floor to pages 2-3, 20, and 27 and amending the title page of the bill.

Senator Kinney offered amendment S-3137, filed by him from the floor to page 1 of amendment S-3127, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3137 to amendment S–3127 be adopted?” (S.F. 609), the vote was:

Yeas, 24:

| | | | |
|-----------|------------|------------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Feenstra | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Shipley | Sinclair | Smith, J. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |

Nays, 26:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Schneider | Schultz |
| Segebart | Smith, R. | Whiting | Whitver |
| Zaun | Zumbach | | |

Absent, none.

Amendment S–3137 to amendment S–3127 lost.

Senator Breitbach moved the adoption of amendment S–3127.

A nonrecord roll call was requested.

Amendment S–3127 was adopted.

Senator Chapman withdrew amendment S–3134, filed by him from the floor to page 10 of the bill.

Senator Hogg offered amendment S–3133, filed by him from the floor to page 20 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3133 be adopted?" (S.F. 609), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dawson | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Amendment S-3133 lost.

Senator Chapman offered amendment S-3129, filed by him from the floor to page 27 and amending the title page of the bill.

Senator Petersen raised the point of order that amendment S-3129 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3129 out of order.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 609), the vote was:

Yeas, 32:

| | | | |
|---------|-----------|-----------|---------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |

| | | | |
|--------------|-----------|--------------|----------|
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 609** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:00 p.m. until 9:00 a.m., Tuesday, April 9, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF PUBLIC SAFETY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on April 8, 2019.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on April 8, 2019.

DEPARTMENT OF REVENUE

Recurrent Taxpayer Noncompliance Report, pursuant to Iowa Code section 421.60.
Report received on April 8, 2019.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Lucille Legler, Fort Dodge—For celebrating their 100th birthday. Senator Kraayenbrink.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 19, by Kinney, Brown, Wahls, and Zumbach, a resolution for congratulating and honoring University of Iowa wrestler Spencer Lee for his outstanding wrestling accomplishments, including a second consecutive National Collegiate Athletic Association wrestling championship title at the 125 pound weight-class.

Read first time and referred to committee on **Rules and Administration**.

Senate Resolution 20, by Shipley, Rozenboom, Kapucian, and Zumbach, a resolution for urging an investigation and review of the actions of the Army Corps of Engineers related to flood control in Western Iowa and a request that the Army Corps of Engineers be required to return to its primary mission of flood control.

Read first time and referred to committee on **Rules and Administration**.

Senate Resolution 21, by Koelker, Rozenboom, Chapman, Behn, Sinclair, Kraayenbrink, R. Smith, Kapucian, Bisignano, Jochum, Mathis, Feenstra, Lykam, Dawson, and Schneider, a resolution for recognizing the impact of the Iowa Tuition Grant program on Iowa's citizens, towns, and cities, and honoring the efforts of Governor Robert D. Ray and the legislative leaders of the 63rd Iowa General Assembly on the 50th anniversary of the program.

Read first time and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 615, by committee on Appropriations, a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 616, by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 617, by committee on Ways and Means, a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

SUBCOMMITTEE ASSIGNMENT

House File 756

APPROPRIATIONS: Lofgren, Chair; Garrett and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 615 (SSB 1255), a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 7: Bolkcom, Celsi, Dotzler, Mathis, Ragan, T. Taylor, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 615, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 616 (SSB 1254), a bill for an act relating to appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 8: Bolkcom, Celsi, Dotzler, Lykam, Mathis, Ragan, T. Taylor, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 616, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: *SENATE FILE 617 (formerly SF 366), a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Feenstra, Dawson, Behn, Brown, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Giddens, Quirmbach, and Wahls. Absent, 1: Carlin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 617, and they were attached to the committee report.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 8th day of April, 2019.

Senate Joint Resolution 17 and Senate Files 210, 304, 534, 555, 558, and 559.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 8, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate Joint Resolution 17 – Authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Senate File 304 – Relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

Senate File 534 – Relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

Senate File 555 – Relating to weight limitations for certain implements of husbandry.

Senate File 559 – Relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Janet Phipps Burkhead to Director of the Department of Administrative Services be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

JANET PETERSEN

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Mark Dejong to Board of Corrections be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

RICH TAYLOR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Justin Kirchhoff to IPERS Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

CLAIRE A. CELSI

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Wayne Walter to IPERS Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

HERMAN C. QUIRMBACH

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Stephanie Groen to State-Federal Relations Office Director be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

ROBERT M. HOGG

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittee of standing committee on April 8, 2019, to investigate the appointment and reappointment of the following appointee:

TRANSPORTATION

As a member of the State Transportation Commission:

Richard Arnold – Kapucian, Chair; Lykam and Shipley

WITHDRAWAL OF GOVERNOR’S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 8, 2019:

I am withdrawing the name of Penny Cutler-Bermudez to serve as a member of the Board of Nursing from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on April 8, 2019:

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for the appointment to the Board of Nursing, formerly held by Lanny Ward. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

| | | | |
|--------|------|-----|---|
| S-3125 | S.F. | 580 | Jason Schultz |
| S-3126 | S.F. | 608 | William A. Dotzler, Jr. Mark Lofgren |
| S-3127 | S.F. | 609 | Michael Breitbach |
| S-3128 | S.F. | 226 | Michael Breitbach |
| S-3129 | S.F. | 609 | Jake Chapman |
| S-3130 | S.F. | 608 | Robert M. Hogg |
| S-3131 | S.F. | 608 | Robert M. Hogg |
| S-3132 | S.F. | 608 | Robert M. Hogg |
| S-3133 | S.F. | 609 | Robert M. Hogg |
| S-3134 | S.F. | 609 | Jake Chapman |
| S-3135 | S.F. | 608 | Liz Mathis |
| S-3136 | S.F. | 608 | Jake Chapman |
| S-3137 | S.F. | 609 | Kevin Kinney |

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 9, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Reverend Dr. Steve Turner, president of Iowa District West, The Lutheran Church–Missouri Synod in Fort Dodge, Iowa. He was the guest of Senator Kraayenbrink.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ami Penquite.

The Journal of Monday, April 8, 2019, was approved.

RECESS

On motion of Senator Whitver, 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 9:06 a.m., President Schneider presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 19, a resolution for congratulating and honoring University of Iowa wrestler Spencer Lee for his outstanding wrestling accomplishments, including a second consecutive National Collegiate Athletic Association wrestling championship title at the 125 pound weight-class.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Feenstra.

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 19.

Senate Resolution 19

On motion of Senator Kinney, **Senate Resolution 19**, a resolution for congratulating and honoring University of Iowa wrestler Spencer Lee for his outstanding wrestling accomplishments, including a second consecutive National Collegiate Athletic Association wrestling championship title at the 125 pound weight-class, with report of committee recommending passage, was taken up for consideration.

Senator Kinney moved the adoption of Senate Resolution 19, which motion prevailed by a voice vote.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:22 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Feenstra, until he arrives, on request of Senator Whitver; and Senator Bisignano, until he arrives, on request of Senator Petersen.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Chris Kramer as Director of the Department of Cultural Affairs, placed on the Individual Confirmation Calendar on March 26, 2019, found on page 753 of the Senate Journal.

Senator R. Smith moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bolkcom | Boulton | Breitbart |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Debi Durham as Director of the Economic Development Authority, placed on the Individual Confirmation Calendar on April 2, 2019, found on page 843 of the Senate Journal.

Senator R. Smith moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Phil Hemingway as a member of the Board of Educational Examiners, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Cournoyer moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 31:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Zaun | Zumbach | |

Nays, 17:

| | | | |
|-----------|------------|------------|---------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |
| Whitver | | | |

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

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 Rod Roberts as Labor Commissioner, placed on the Individual Confirmation Calendar on April 3, 2019, found on page 853 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:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 329, 368, and 379.

Senate File 329

On motion of Senator Garrett, **Senate File 329**, a bill for an act relating to expert witness testimony in child sexual abuse and child endangerment cases, placed on the Unfinished Business Calendar on April 4, 2019, 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. 329), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bolkcom | Boulton | Breitbart |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 368

On motion of Senator Chapman, **Senate File 368**, a bill for an act relating to restrictions on lawful preexisting nonconforming uses by cities and counties, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Chapman offered amendment S-3071, filed by him on March 25, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3071 was adopted by a voice vote.

Senator Chapman asked and received unanimous consent that **House File 701** be **substituted** for **Senate File 368**.

House File 701

On motion of Senator Chapman, **House File 701**, a bill for an act relating to restrictions on lawful preexisting nonconforming uses by cities and counties, placed on the Unfinished Business Calendar on April 4, 2019, 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. 701), the vote was:

Yeas, 35:

| | | | |
|--------------|------------|------------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 13:

| | | | |
|----------|-----------|--------|-----------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Mathis |
| Petersen | Quirnbach | Ragan | Smith, J. |
| Wahls | | | |

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Chapman asked and received unanimous consent that **Senate File 368** be **withdrawn** from further consideration of the Senate.

Senate File 379

On motion of Senator Garrett, **Senate File 379**, a bill for an act relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa, placed on the Unfinished Business Calendar on April 4, 2019, 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. 379), the vote was:

Yeas, 48:

| | | | |
|----------|-----------|---------|--------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |

| | | | |
|-----------|------------|------------|-----------|
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Bisignano Feenstra

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 329 and 379 and House File 701** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 542 and 546.

Senate File 542

On motion of Senator Carlin, **Senate File 542**, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid members receiving the Medicare hospice benefit and Medicaid-only members electing the hospice benefit in a nursing facility, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Carlin asked and received unanimous consent that **House File 518** be **substituted** for **Senate File 542**.

House File 518

On motion of Senator Carlin, **House File 518**, a bill for an act relating to reimbursement for dually eligible Medicare and Medicaid members receiving the Medicare hospice benefit and Medicaid-only members electing the hospice benefit in a nursing facility, placed on the Unfinished Business Calendar on April 4, 2019, 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. 518), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

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 542** be **withdrawn** from further consideration of the Senate.

Senate File 546

On motion of Senator Whiting, **Senate File 546**, 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, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Whiting offered amendment S-3013, filed by the committee on Judiciary on March 7, 2019, to pages 87-88 of the bill, and moved its adoption.

Amendment S-3013 was adopted by a voice vote.

Senator Whiting asked and received unanimous consent that **House File 679** be substituted for **Senate File 546**.

House File 679

On motion of Senator Whiting, **House File 679**, 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, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Whiting offered amendment S-3140, filed by him from the floor to page 36 of the bill, and moved its adoption.

Amendment S-3140 was adopted by a voice vote.

Senator Whiting 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. 679), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bolkcom | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

| | |
|-----------|----------|
| Bisignano | Feenstra |
|-----------|----------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Whiting asked and received unanimous consent that **Senate File 546** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 518** and **679** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 530.

Senate File 530

On motion of Senator Greene, **Senate File 530**, a bill for an act relating to the dispensing of insulin in emergency situations, and providing for insurance coverage, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Greene offered amendment S-3143, 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-3143 was adopted by a voice vote.

Senator Greene asked and received unanimous consent that **House File 700** be **substituted** for **Senate File 530**.

House File 700

On motion of Senator Greene, **House File 700**, a bill for an act relating to the dispensing of insulin in emergency situations, and providing for insurance coverage, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Greene offered amendment S-3141, 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-3141 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. 700), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |

| | | | |
|--------------|-----------|------------|------------|
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Greene asked and received unanimous consent that **Senate File 530** be **withdrawn** from further consideration of the Senate.

SPECIAL GUEST

President Schneider introduced to the Senate chamber the Honorable Jim Griffin, former member of the Senate from Pottawattamie County, Council Bluffs, Iowa.

The Senate rose and expressed its welcome.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 700** be **immediately messaged** to the House.

RECONVENED

The Senate reconvened at 1:39 p.m., President Schneider presiding.

The Senate stood at ease at 1:39 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 2:14 p.m., President Schneider presiding.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:14 p.m. until 9:00 a.m., Wednesday, April 10, 2019.

APPENDIX

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Tuesday, April 9, 2019, 9:00 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Feenstra (excused).

Committee Business: SR 19 and SR 21.

Adjourned: 9:05 a.m.

SUBCOMMITTEE ASSIGNMENT

House File 758

EDUCATION APPROPRIATIONS: Kraayenbrink, Chair; Koelker, Quirmbach, Sinclair, and Wahls

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 21, a resolution for recognizing the impact of the Iowa Tuition Grant program on Iowa's citizens, towns, and cities, and honoring the efforts of Governor Robert D. Ray and the legislative leaders of the 63rd Iowa General Assembly on the 50th anniversary of the program.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER FILED

MR. PRESIDENT, I move to reconsider the vote by which the confirmation of Phil Hemingway failed to be approved by the Senate on April 9, 2019.

JACK WHITVER

AMENDMENTS FILED

| | | | |
|--------|------|-----|------------------|
| S-3138 | S.F. | 608 | Robert M. Hogg |
| S-3139 | S.F. | 608 | Robert M. Hogg |
| S-3140 | H.F. | 679 | Zach Whiting |
| S-3141 | H.F. | 700 | Thomas A. Greene |
| S-3142 | S.F. | 608 | Janet Petersen |
| S-3143 | S.F. | 530 | Thomas A. Greene |
| S-3144 | S.F. | 608 | Claire Celsi |
| S-3145 | S.F. | 424 | Dan Dawson |
| S-3146 | S.F. | 425 | Dan Dawson |
| S-3147 | H.F. | 311 | Dan Zumbach |

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 10, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was sung by Victoria Daniels from Polk County, Iowa. She was the guest of Senator Bisignano.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Tuesday, April 9, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 112, a bill for an act relating to the requirements for certifications of trust and including applicability provisions.

Senate File 507, a bill for an act relating to the definition of personal injuries arising out of and in the course of the employment for the purposes of compensable acts for workers' compensation.

ALSO: That the House has on April 9, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 305, a bill for an act relating to the enhance Iowa board and moneys allocated by the board.

Read first time and attached to **companion Senate File 322**.

House File 391, a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions.

Read first time and attached to **companion Senate File 268**.

House File 569, a bill for an act relating to personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable.

Read first time and attached to **similar Senate File 426**.

House File 681, a bill for an act permitting qualified entities to request national criminal history checks of certain covered individuals.

Read first time and attached to **similar Senate File 525**.

House File 759, 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 and referred to committee on **Appropriations**.

House File 765, 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 and referred to committee on **Appropriations**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 21.

Senate Resolution 21

On motion of Senator Koelker, **Senate Resolution 21**, a resolution for recognizing the impact of the Iowa Tuition Grant program on Iowa's citizens, towns, and cities, and honoring the efforts of Governor Robert D. Ray and the legislative leaders of the 63rd Iowa General Assembly on the 50th anniversary of the program, with report of committee recommending passage, was taken up for consideration.

Senator Koelker moved the adoption of Senate Resolution 21, which motion prevailed by a voice vote.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:41 a.m., President Schneider presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Justin Kirchhoff as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on April 8, 2019, found on page 892 of the Senate Journal.

Senator Johnson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Behn
Breitbach
Chapman

Bisignano
Brown
Costello

Bolkcom
Carlin
Cournoyer

Boulton
Celsi
Dawson

| | | | |
|--------------|-----------|------------|------------|
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Wayne Walter as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on April 8, 2019, found on page 892 of the Senate Journal.

Senator Johnson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 1:

Quirmbach

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Jeffery Wright as State Public Defender, placed on the Individual Confirmation Calendar on April 2, 2019, found on page 843 of the Senate Journal.

Senator Garrett moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Stephanie Groen as Director of Office for State-Federal Relations, placed on the Individual Confirmation Calendar on April 8, 2019, found on page 892 of the Senate Journal.

Senator R. Smith moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Barb Kniff-McCulla as a member of Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on April 3, 2019, found on page 853 of the Senate Journal.

Senator Koelker moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Barb Kniff-McCulla as Chairperson of Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on April 3, 2019, found on page 853 of the Senate Journal.

Senator Koelker moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |

Smith, R.
Wahls
Zumbach

Sweeney
Whiting

Taylor, R.
Whitver

Taylor, T.
Zaun

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 153, 409, and 425.

Senate File 153

On motion of Senator Dawson, **Senate File 153**, a bill for an act relating to the exploitation of a dependent adult by a caretaker, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson asked and received unanimous consent that **House File 323** be **substituted** for **Senate File 153**.

House File 323

On motion of Senator Dawson, **House File 323**, a bill for an act relating to the exploitation of a dependent adult by a caretaker, placed on the Unfinished Business Calendar on April 4, 2019, 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. 323), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

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 153** be **withdrawn** from further consideration of the Senate.

Senate File 409

On motion of Senator Kapucian, **Senate File 409**, a bill for an act relating to administrative procedures within the department of natural resources, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Rozenboom offered amendment S-3151, filed by him from the floor to page 5 of the bill, and moved its adoption.

Amendment S-3151 was adopted by a voice vote.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 409), the vote was:

Yeas, 37:

| | | | |
|--------------|-----------|-----------|-----------|
| Behn | Boulton | Breitbart | Brown |
| Carlin | Costello | Cournoyer | Dawson |
| Edler | Garrett | Giddens | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Quirmbach | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, J. | Smith, R. | Sweeney |
| Taylor, T. | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 12:

| | | | |
|-----------|---------|------------|---------|
| Bisignano | Bolkcom | Celsi | Chapman |
| Dotzler | Hogg | Jochum | Kinney |
| Petersen | Ragan | Taylor, R. | Wahls |

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 425

On motion of Senator Dawson, **Senate File 425**, a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson offered amendment S–3146, filed by him on April 9, 2019, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S–3146 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 591** be substituted for **Senate File 425**.

House File 591

On motion of Senator Dawson, **House File 591**, a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson offered amendment S-3149, filed by him from the floor to page 24 of the bill, and moved its adoption.

Amendment S-3149 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. 591), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

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 425** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 409** and **House Files 323** and **591** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 446, 563, and 424.

Senate File 446

On motion of Senator R. Smith, **Senate File 446**, a bill for an act relating to political and campaign ethics, including the reporting of certain gifts and bequests received by the executive branch and attribution statements on published materials, and making penalties applicable, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator R. Smith offered amendment S-3076, filed by him on March 26, 2019, to pages 1-2 and amending the title page of the bill, and moved its adoption.

Amendment S-3076 was adopted by a voice vote.

Senator R. Smith asked and received unanimous consent that **House File 393** be **substituted** for **Senate File 446**.

House File 393

On motion of Senator R. Smith, **House File 393**, a bill for an act relating to political and campaign ethics, including the reporting of certain gifts and bequests received by the executive branch and attribution statements on published materials, and making penalties applicable, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator R. 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. 393), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator R. Smith asked and received unanimous consent that **Senate File 446** be **withdrawn** from further consideration of the Senate.

Senate File 563

On motion of Senator Miller-Meeks, **Senate File 563**, a bill for an act relating to pharmacy benefit managers and information related to the management of prescription drug benefits, and including applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Miller-Meeks withdrew amendment S–3148, filed by her from the floor to pages 4–6 and amending the title page of the bill.

Senator Miller-Meeks offered amendment S–3153, filed by her from the floor to pages 4–6 and amending the title page of the bill, and moved its adoption.

Amendment S–3153 was adopted by a voice vote.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 563), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 424

On motion of Senator Dawson, **Senate File 424**, a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson offered amendment S–3145, filed by him on April 9, 2019, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S–3145 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 610** be **substituted** for **Senate File 424**.

House File 610

On motion of Senator Dawson, **House File 610**, a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson offered amendment S–3150, filed by him from the floor to pages 2–3 and 35 and amending the title page of the bill, and moved its adoption.

Amendment S–3150 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. 610), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |

| | | | |
|--------------|-----------|------------|------------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

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 424** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 563** and **House Files 393** and **610** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Gerd Clabaugh as Director of Public Health, placed on the Individual Confirmation Calendar on April 2, 2019, found on page 843 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, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

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 12:22 p.m. until 9:00 a.m., Thursday, April 11, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Dr. Linda Allen—Upon her retirement as President of Hawkeye Community College. Senator Sweeney.

Dr. Christopher A. Duree—Upon his retirement as Chancellor of Iowa Valley Community College District. Senator Sweeney.

Don Latham, Alexander—For receiving the American Soybean Association Outstanding Achievement Award. Senator Sweeney.

Zach Rodamaker, Iowa Falls—For earning his Scout Merit Badge. Senator Sweeney.

REPORT OF COMMITTEE MEETING

TRANSPORTATION

Convened: Wednesday, April 10, 2019, 8:45 a.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Giddens, Ranking Member; Breitbach, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: Cournoyer (excused).

Committee Business: Governor Appointment Richard Arnold.

Adjourned: 8:50 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 22, by Boulton, a resolution for recognizing and congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the eighth consecutive year.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS

House File 759

ADMINISTRATION AND REGULATION APPROPRIATIONS: Guth, Chair; Celsi, R. Taylor, Whiting, and Zumbach

House File 765

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS APPROPRIATIONS: Johnson, Chair; Boulton, Dawson, Lykam, and R. Smith

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 9, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 210 – Providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

Senate File 558 –Relating to requirements for domestic surplus lines insurers.

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 with recommendation for confirmation:

TRANSPORTATION

Richard Arnold – State Transportation Commission

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------------------|
| S-3148 | S.F. | 563 | Mariannette Miller-Meeks |
| S-3149 | H.F. | 591 | Dan Dawson |
| S-3150 | H.F. | 610 | Dan Dawson |
| S-3151 | S.F. | 409 | Ken Rozenboom |
| S-3152 | S.F. | 464 | Julian B. Garrett |
| S-3153 | S.F. | 563 | Mariannette Miller-Meeks |
| S-3154 | S.F. | 615 | Robert M. Hogg |

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 11, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was sung by Senate Page Brooklyn Price of Winterset, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ellie Reece.

The Journal of Wednesday, April 10, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 341, a bill for an act relating to assistance animals and service animals in housing, service animals and service-animals-in-training in public accommodations, and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions.

Senate File 402, a bill for an act providing for the good-faith submission of information, records, applications, and documents to the credit union division.

Senate File 403, a bill for an act relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

Senate File 506, a bill for an act relating to procedural requirements for the merger of state credit unions.

ALSO: That the House has on April 10, 2019, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 346, a bill for an act creating the criminal offense of female genital mutilation and providing penalties. (S-3155)

ALSO: That the House has on April 10, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 421, a bill for an act relating to institutions under the control of the department of human services, including providing for the transfer of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center.

Read first time and attached to **similar Senate File 338**.

BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Whitver asked and received unanimous consent that the following House Files be referred from the Regular Calendar to the Unfinished Business Calendar:

| | |
|--------|--------|
| HF 223 | HF 595 |
| HF 224 | HF 598 |
| HF 263 | HF 599 |
| HF 265 | HF 604 |
| HF 289 | HF 606 |
| HF 291 | HF 634 |
| HF 292 | HF 637 |
| HF 303 | HF 642 |
| HF 304 | HF 643 |
| HF 311 | HF 659 |
| HF 325 | HF 685 |
| HF 387 | HF 689 |

| | |
|--------|--------|
| HF 389 | HF 691 |
| HF 422 | HF 692 |
| HF 485 | HF 694 |
| HF 486 | HF 707 |
| HF 516 | HF 709 |
| HF 531 | HF 719 |
| HF 532 | HF 732 |
| HF 566 | HF 737 |
| HF 570 | HF 743 |
| HF 590 | |

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 10:46 a.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown, 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:

Kathleen Stoppelmoor, Electrical Examining Board

Richard Arnold, State Transportation Commission

Senator Whitver moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |

| | | | |
|--------------|-----------|------------|------------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Brown

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 Kraig Paulsen as Director of Revenue, placed on the Individual Confirmation Calendar on April 2, 2019, found on page 843 of the Senate Journal.

Senator Feenstra moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Brown

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Mark DeJong as a member of the Board of Corrections, placed on the Individual Confirmation Calendar on April 8, 2019, found on page 892 of the Senate Journal.

Senator Sinclair moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Brown

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Beth Townsend as Director of Workforce Development, placed on the Individual Confirmation Calendar on March 25, 2019, found on page 730 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, 43:

| | | | |
|-----------|-----------|--------------|-----------|
| Behn | Bisignano | Bolkcom | Breitbach |
| Carlin | Chapman | Costello | Cournoyer |
| Dawson | Dotzler | Edler | Feenstra |
| Garrett | Giddens | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, R. | Sweeney | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 6:

| | | | |
|------------|------------|----------|-----------|
| Boulton | Celsi | Petersen | Smith, J. |
| Taylor, R. | Taylor, T. | | |

Absent, 1:

Brown

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 268 and 565.

Senate File 268

On motion of Senator Shipley, **Senate File 268**, a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Shipley asked and received unanimous consent that **House File 391** be **substituted** for **Senate File 268**.

House File 391

On motion of Senator Shipley, **House File 391**, a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions, 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. 391), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Brown

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 268** be **withdrawn** from further consideration of the Senate.

Senate File 565

On motion of Senator Greene, **Senate File 565**, a bill for an act relating to prior authorization for medication-assisted treatment under the Medicaid program, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Greene asked and received unanimous consent that **House File 623** be **substituted** for **Senate File 565**.

House File 623

On motion of Senator Greene, **House File 623**, a bill for an act relating to prior authorization for medication-assisted treatment under the Medicaid program, placed on the Unfinished Business Calendar on April 4, 2019, 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. 623), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |

| | | | |
|--------------|-----------|------------|------------|
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shiple | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Brown

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Greene asked and received unanimous consent that **Senate File 565** 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 392.

House File 392

On motion of Senator Chapman, **House File 392**, a bill for an act relating to competitive bidding requirements applicable to certain governmental officials and employees, with report of committee recommending passage, 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. 392), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Brown

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 391, 392, and 623** be **immediately messaged** to the House.

BILL REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Whitver asked and received unanimous consent that House File 594 be referred from the Regular Calendar to the Unfinished Business Calendar.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:34 a.m. until 1:00 p.m., Monday, April 15, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9. Report received on April 11, 2019.

IOWA RACING AND GAMING COMMISSION

2018 Annual Report, pursuant to Iowa Code section 99D.21. Report received on April 9, 2019.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Matt Roelfs of Iowa Steel Masters, Ackley—For receiving the Iowa Farm Bureau's Renew Rural Iowa Entrepreneur Award. Senator Sweeney.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Thursday, April 11, 2019, 11:35 a.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Brown (excused).

Committee Business: SSB 1184 passed unanimously, as amended. SF 281 passed unanimously. SF 595 passed unanimously. SF 515 passed unanimously, as amended. SF 474 passed unanimously. SF 413 passed unanimously, as amended.

Adjourned: 12:35 p.m.

STUDY BILL RECEIVED

SSB 1256 Ways and Means

Relating to energy efficiency and demand response plan filing requirements for certain public utilities, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1256

WAYS AND MEANS: Chapman, Chair; Giddens and Schultz

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------------------|
| S-3155 | S.F. | 346 | House |
| S-3156 | S.F. | 463 | Annette Sweeney |
| S-3157 | H.F. | 638 | Annette Sweeney |
| S-3158 | S.F. | 414 | Mariannette Miller-Meeks |

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 15, 2019

The Senate met in regular session at 1:01 p.m., President Schneider presiding.

Prayer was offered by Pastor Brandon Nygaard of the Mulford Evangelical Free Church in Muscatine, Iowa. He was the guest of Senator Lofgren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Zeke Walker, secretary for Senator Lofgren.

The Journal of Thursday, April 11, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 282, a bill for an act providing for the repeal of the honey creek premier destination park bond program.

Senate File 412, a bill for an act relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance, and making penalties applicable.

Senate File 528, a bill for an act relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces.

Senate File 600, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions.

ALSO: That the House has on April 11, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 766, 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 and referred to committee on **Appropriations**.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:04 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:07 p.m., President Schneider presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 23, 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**.

Senate Resolution 24, by Dawson, a resolution congratulating Google on its ten-year anniversary in the State of Iowa.

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 23, a resolution for deferring action on the confirmation of certain appointments submitted by the Governor.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, and Sinclair. Nays, none. Absent, 1: R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 24, a resolution congratulating Google on its ten-year anniversary in the State of Iowa.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, and Sinclair. Nays, none. Absent, 1: R. Smith.

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 23 and 24.

Senate Resolution 23

On motion of Senator Whitver, **Senate Resolution 23**, 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 23, which motion prevailed by a voice vote.

Senate Resolution 24

On motion of Senator Dawson, **Senate Resolution 24**, a resolution congratulating Google on its ten-year anniversary in the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Dawson moved the adoption of Senate Resolution 24, which motion prevailed by a voice vote.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:15 p.m. until the fall of the gavel.

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

Nursing Facilities Private Room Supplementation Report, pursuant to Iowa Code section 249A.4. Report received on April 12, 2019.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Monday, April 15, 2019, 1:05 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolckcom, Chapman, Feenstra, Jochum, Ragan, and Sinclair.

Members Absent: R. Smith (excused).

Committee Business: SR 22, SR 23, and SR 24.

Adjourned: 1:10 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Monday, April 15, 2019, 1:35 p.m.

Members Present: Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

Members Absent: None.

Committee Business: HF 765.

Adjourned: 1:55 p.m.

INTRODUCTION OF BILLS

Senate File 618, by committee on Ways and Means, 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 and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 619, by committee on Ways and Means, a bill for an act modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 620, by committee on Ways and Means, a bill for an act relating to the procedure for disposal of certain city utilities by sale.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 621, by committee on Ways and Means, a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee or an entitled person, providing for fees, and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 622, by committee on Ways and Means, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 623, 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**.

SUBCOMMITTEE ASSIGNMENT

House File 766

HEALTH AND HUMAN SERVICES APPROPRIATIONS: Costello, Chair; Bolkcom, Edler, Miller-Meeks, and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 22, a resolution for recognizing and congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the eighth consecutive year.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, and Sinclair. Nays, none. Absent, 1: R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 618 (formerly SF 413), 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 and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Brown.

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 618, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 619 (formerly SF 595), a bill for an act modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Brown.

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 619, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 620 (SSB 1184), a bill for an act relating to the procedure for disposal of certain city utilities by sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Brown.

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 620, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 621 (formerly SF 515), a bill for an act relating to access to a copy of an original birth certificate by an adult adoptee or an entitled person, providing for fees, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Brown.

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 621, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 622 (formerly SF 474), a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 623 (formerly SF 281), 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: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Brown.

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 15th day of April, 2019.

Senate Files 140, 159, 208, 245, 246, 333, 532, and 569.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 15, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 140 – Relating to special minor’s driver’s licenses for students attending accredited nonpublic schools.

Senate File 208 – Increasing the maximum allowable length for stinger-steered automobile transporters.

Senate File 333 – Relating to nonsubstantive Code corrections.

Senate File 532 – Relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions.

Senate File 569 – Relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, and including effective date provisions.

RECONVENED

The Senate reconvened at 3:53 p.m., President Schneider presiding.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 615 and 616.

Senate File 615

On motion of Senator Garrett, **Senate File 615**, a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Garrett offered amendment S-3159, filed by him from the floor to pages 11, 15, and 22 of the bill, and moved its adoption.

Amendment S-3159 was adopted by a voice vote.

Senator Hogg offered amendment S-3154, filed by him on April 10, 2019, to page 20 of the bill.

Senator Garrett raised the point of order that amendment S-3154 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3154 out of order.

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. 615), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 616

On motion of Senator Garrett, **Senate File 616**, a bill for an act relating to appropriations to the judicial branch, 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. 616), the vote was:

Yeas, 35:

| | | | |
|-----------|--------------|--------------|-----------|
| Behn | Bisignano | Breitbach | Brown |
| Carlin | Chapman | Costello | Cournoyer |
| Dawson | Edler | Feenstra | Garrett |
| Greene | Guth | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Mathis | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 15:

| | | | |
|------------|------------|--------|-----------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Lykam |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 599 and 606.

Senate File 599

On motion of Senator Shipley, **Senate File 599**, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, including penalties, and providing implementation and effective date provisions, was taken up for consideration.

Senator Shipley offered amendment S-3160, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3160 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. 599), the vote was:

Yeas, 49:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whitver | Zaun |
| Zumbach | | | |

Nays, 1:

Whiting

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 606

On motion of Senator Feenstra, **Senate File 606**, a bill for an act relating to the transfer of investment tax credits issued to housing businesses under the enterprise zone program, 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. 606), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 599, 606, 615, and 616** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 230

Senator Whitver called up for consideration **Senate File 230**, a bill for an act relating to manufacturers of native distilled spirits and beer, amended by the House in House amendment S-3116, filed April 4, 2019.

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 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. 230), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 1:

Costello

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
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 608 and House File 325.

Senate File 608

On motion of Senator Lofgren, **Senate File 608**, 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 college student aid commission, and the state board of regents and certain regents institutions, and properly related matters, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Hogg offered amendment S–3130, filed by him on April 8, 2019, to pages 1 and 21 and amending the title page of the bill.

Senator Lofgren raised the point of order that amendment S–3130 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3130 out of order.

Senator Chapman offered amendment S–3136, filed by him on April 8, 2019, to pages 1 and 21 of the bill.

Senator Petersen offered amendment S–3142, filed by her on April 9, 2019, to page 1 of amendment S–3136, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3142 to amendment S–3136 be adopted?” (S.F. 608), the vote was:

Yeas, 18:

Bisignano
Dotzler
Kinney
Quirnbach
Taylor, T.

Bolkcom
Giddens
Lykam
Ragan
Wahls

Boulton
Hogg
Mathis
Smith, J.

Celsi
Jochum
Petersen
Taylor, R.

Nays, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Amendment S–3142 to amendment S–3136 lost.

Senator Chapman moved the adoption of amendment S–3136.

Amendment S–3136 was adopted by a voice vote.

Senator Celsi offered amendment S–3144, filed by her on April 9, 2019, to pages 1 and 21 of the bill.

Senator Lofgren raised the point of order that amendment S–3144 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3144 out of order.

The Senate stood at ease at 5:16 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:32 p.m., President Schneider presiding.

Senator Dotzler asked and received unanimous consent to withdraw amendment S–3123, filed by Senators Dotzler and Lofgren on April 4, 2019, to pages 8, 9, 12, 15, and 20 of the bill.

Senator Dotzler offered amendment S–3126, filed by Senators Dotzler and Lofgren on April 8, 2019, to pages 8, 9, 12, 15, and 20 of the bill, and moved its adoption.

Amendment S–3126 was adopted by a voice vote.

Senator Mathis offered amendment S–3135, filed by her on April 8, 2019, to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3135 be adopted?” (S.F. 608), the vote was:

Yeas, 21:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Greene | Hogg |
| Jochum | Kapucian | Kinney | Lykam |
| Mathis | Petersen | Quirmbach | Ragan |
| Segebart | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Nays, 28:

| | | | |
|--------------|-----------|--------------|---------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Guth |
| Johnson | Koelker | Kraayenbrink | Lofgren |
| Miller-Meeks | Rozenboom | Schneider | Schultz |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Amendment S–3135 lost.

Senator Hogg withdrew amendment S–3131, filed by him on April 8, 2019, to pages 16 and 21 of the bill.

Senator Hogg offered amendment S–3138, filed by him on April 9, 2019, to pages 16 and 21 of the bill.

Senator Hogg called for the following division of amendment S–3138:

Division S–3138A: Page 1, lines 2–7; and
Division S–3138B: Page 1, lines 8–15.

Senator Hogg moved the adoption of division S–3138A.

A record roll call was requested.

On the question "Shall division S-3138A be adopted?" (S.F. 608), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dawson | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shiple |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Division S-3138A lost.

Senator Hogg moved the adoption of division S-3138B.

A record roll call was requested.

On the question "Shall division S-3138B be adopted?" (S.F. 608), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dawson | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |

| | | | |
|-----------|-----------|----------|---------|
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Division S–3138B lost.

Senator Hogg withdrew amendment S–3132, filed by him on April 8, 2019, to page 21 and amending the title page of the bill.

Senator Hogg offered amendment S–3139, filed by him on April 9, 2019, to page 21 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3139 be adopted?” (S.F. 608), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dawson | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Amendment S–3139 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?” (S.F. 608), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 325

On motion of Senator Sweeney, **House File 325**, a bill for an act relating to weapons requirements for nonambulatory hunters, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Sweeney 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. 325), the vote was:

Yeas, 50:

| | | | |
|-----------|--------------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |

| | | | |
|------------|--------------|-----------|------------|
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 230 and 608 and House File 325** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 6:32 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 6:33 p.m., President Schneider presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 25, by Whitver, a resolution for deferring action on the confirmation of certain appointments submitted by an appointing authority other than 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 25, a resolution for deferring action on the confirmation of certain appointments submitted by an appointing authority other than the Governor.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. 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 25.

Senate Resolution 25

On motion of Senator Whitver, **Senate Resolution 25**, a resolution for deferring action on the confirmation of certain appointments submitted by an appointing authority other than the Governor, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of Senate Resolution 25, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:34 p.m. until 9:00 a.m., Tuesday, April 16, 2019.

APPENDIX—2**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Gannon Hendrick, Maxwell—On his change of command to Battalion Commander of the 336th Combat Sustainment Support. Senator Sweeney.

REPORT OF COMMITTEE MEETING**RULES AND ADMINISTRATION**

Convened: Monday, April 15, 2019, 6:30 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: SR 25.

Adjourned: 6:35 p.m.

BILL ATTACHED

Senate File 623 was attached to companion House File 389.

AMENDMENTS FILED

| | | | |
|--------|------|-----|-------------------|
| S-3159 | S.F. | 615 | Julian B. Garrett |
| S-3160 | S.F. | 599 | Tom Shipley |

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 16, 2019

The Senate met in regular session at 9:01 a.m., President Schneider presiding.

Prayer was sung by Ms. Alyseia Sanchez, Praise Team member of Morningside Assembly of God Church in Sioux City, Iowa. She was the guest of Senator Carlin.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ben Theuma.

The Journal of Monday, April 15, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 2019, **passed** the following bill in which the concurrence of the House was asked:

Senate File 590, a bill for an act relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

ALSO: That the House has on April 15, 2019, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 267, a bill for an act relating to the practice of massage therapy, and providing penalties. (S-3162)

Senate File 567, a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies. (S-3163)

ALSO: That the House has on April 15, 2019, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 591, a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

House File 610, a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

House File 679, 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.

ALSO: That the House has on April 15, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 740, a bill for an act relating to the state budget process.

Read first time and referred to committee on **Appropriations**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 22.

Senate Resolution 22

On motion of Senator Boulton, **Senate Resolution 22**, a resolution for recognizing and congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the eighth consecutive year, with report of committee recommending passage, was taken up for consideration.

Senator Boulton moved the adoption of Senate Resolution 22, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Boulton introduced to the Senate chamber, Nick Mitchell, head wrestling coach at Grandview University in Des Moines, Iowa; accompanied by members of the men's wrestling team.

Coach Mitchell addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:50 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 479.

Senate File 479

On motion of Senator Edler, **Senate File 479**, a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Edler offered amendment S–3161, filed by him from the floor, striking and replacing everything after the enacting clause. of the bill, and moved its adoption.

Amendment S–3161 was adopted by a voice vote.

Senator Edler asked and received unanimous consent that **House File 690** be **substituted** for **Senate File 479**.

House File 690

On motion of Senator Edler, **House File 690**, a bill for an act relating to mental health and disability services, including the establishment of a children’s behavioral health system and a children’s behavioral health system state board, and requiring certain children’s behavioral health core services, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **House File 690** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shipley, until he arrives, on request of Senator Zumbach.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 598 and 570.

House File 598

On motion of Senator Sinclair, **House File 598**, a bill for an act relating to the assignment of pupils who are siblings to classrooms by school districts, placed on the Unfinished Business Calendar on April 11, 2019, 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. 598), the vote was:

Yeas, 44:

| | | | |
|-----------|-----------|--------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Greene |
| Guth | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Sinclair |
| Smith, R. | Sweeney | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 5:

| | | | |
|------------|---------|------|-----------|
| Celsi | Giddens | Hogg | Smith, J. |
| Taylor, R. | | | |

Absent, 1:

Shipley

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 570

On motion of Senator Segebart, **House File 570**, a bill for an act relating to the brain injury home and community-based services waiver monthly budget maximum, placed on the Unfinished Business Calendar on April 11, 2019, 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. 570), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

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 570 and 598** 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 603.

Senate File 603

On motion of Senator Sinclair, **Senate File 603**, a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions, 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. 603), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

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 606.

House File 606

On motion of Senator Johnson, **House File 606**, a bill for an act relating to continuing education requirements for certain professions, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator 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. 606), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

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 603** and **House File 606** 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 292 and 532.

House File 292

On motion of Senator Miller-Meeks, **House File 292**, a bill for an act relating to the frequency of the reporting of the annual analysis and findings relative to Medicaid managed care member appeals, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller-Meeks offered amendment S-3121, filed by the committee on Human Resources on April 4, 2019, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3121 was adopted by a voice vote.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 292), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

House File 532

On motion of Senator Miller-Meeks, **House File 532**, a bill for an act relating to the awarding of medical residency positions in the state, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller-Meeks offered amendment S-3122, filed by the committee on Human Resources on April 4, 2019, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3122 was adopted by a voice vote.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 532), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

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 292 and 532** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 346

Senator Whitver called up for consideration **Senate File 346**, a bill for an act creating the criminal offense of female genital mutilation and providing penalties, amended by the House in House amendment S-3155, filed April 11, 2019.

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. 346), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

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 346** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:40 a.m. until the fall of the gavel.

APPENDIX—1

REPORT OF COMMITTEE MEETING

ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

Convened: Monday, April 15, 2019, 1:30 p.m.

Members Present: Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

Members Absent: None.

Committee Business: HF 759.

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 26, by Sweeney, Dotzler, Edler, Giddens, Kapucian, and Johnson, a resolution for honoring and congratulating Dr. Christopher A. Duree and Dr. Linda Allen upon their respective retirements as the Chancellor of Iowa Valley Community College District and the President of Hawkeye Community College.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED

SSB 1257 Appropriations

Making appropriations to the department of public health for the gambling treatment program.

SSB 1258 Ways and Means

Reestablishing individual income tax checkoffs for the Iowa state fair foundation fund and the joint income tax checkoff for the veterans trust fund and the volunteer fire fighter preparedness fund.

SSB 1259 Ways and Means

Relating to the home and community-based services revolving loan program fund and the transitional housing revolving loan program fund, and the transfer of moneys and the deposit of outstanding loan repayments to the manufactured housing program fund.

SUBCOMMITTEE ASSIGNMENTS

House File 419

STATE GOVERNMENT: Miller-Meeks, Chair; Celsi and Cournoyer

House File 752 (Reassigned)

STATE GOVERNMENT: Schultz, Chair; Giddens and R. Smith

SSB 1257

APPROPRIATIONS: Breitbach, Chair; Bolkcom and Kraayenbrink

SSB 1258

WAYS AND MEANS: Schultz, Chair; Behn and Dotzler

SSB 1259

WAYS AND MEANS: Chapman, Chair; R. Smith and Wahls

RECONVENED

The Senate reconvened at 4:13 p.m., President Schneider presiding.

QUORUM CALL

Senator Schultz requested a nonrecord roll call to determine that a quorum was present.

The Chair declared a quorum present.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 685.

House File 685

On motion of Senator Edler, **House File 685**, a bill for an act relating to the payment of required medical aid provided to prisoners of county jails, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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. 685), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Shipley

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 685** be **immediately messaged** to the House.

BUSINESS PENDING

House File 690

The Senate resumed consideration of **House File 690**, a bill for an act relating to mental health and disability services, including the establishment of a children’s behavioral health system and a children’s behavioral health system state board, and requiring certain children’s behavioral health core services, previously deferred.

Senator Hogg offered amendment S–3164, filed by him from the floor to pages 6 and 12 of the bill.

Senator Edler raised the point of order that amendment S-3164 was not germane to the bill.

Senator Hogg asked and received unanimous consent that action on amendment S-3164 and **House File 690** be **deferred**.

The Senate stood at ease at 4:34 p.m. until the fall of the gavel.

The Senate resumed session at 5:54 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dawson, until he returns, on request of Senator Schultz.

BUSINESS PENDING

House File 690

The Senate resumed consideration of **House File 690**, a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services, and amendment S-3164, previously deferred.

Senator Hogg asked and received unanimous consent that action on amendment S-3164 be deferred.

Senator Hogg offered amendment S-3167, filed by him from the floor to page 11 of the bill, and moved its adoption.

Amendment S-3167 lost by a voice vote.

Senator Hogg withdrew amendment S-3164, previously deferred.

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. 690), the vote was:

Yeas, 46:

| | | | |
|------------|-----------|--------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Quirmbach | Ragan | Rozenboom |
| Schneider | Schultz | Segebart | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 2:

| | |
|------|------|
| Guth | Hogg |
|------|------|

Absent, 2:

| | |
|--------|---------|
| Dawson | Shipley |
|--------|---------|

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 479** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 690** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:19 p.m. until 9:00 a.m., Wednesday, April 17, 2019.

APPENDIX—2**STUDY BILL RECEIVED****SSB 1260 Ways and Means**

Relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, requiring establishment of a property tax system advisory group, modifying provisions relating to property tax credits for persons who have reached sixty-five years of age, modifying provisions relating to the state appraisal manual, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 740**

APPROPRIATIONS: Breitbach, Chair; Bolkcom and Kraayenbrink

SSB 1260

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 159 – Relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial teacher licensure and providing for related matters.

Senate File 245 – Relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

Senate File 246 – Relating to requirements for eligibility under the all Iowa opportunity scholarship program.

AMENDMENTS FILED

| | | | |
|--------|------|-----|------------|
| S-3161 | S.F. | 479 | Jeff Edler |
| S-3162 | S.F. | 267 | House |
| S-3163 | S.F. | 567 | House |

| | | | |
|--------|------|-----|----------------|
| S-3164 | H.F. | 690 | Robert M. Hogg |
| S-3165 | S.F. | 619 | Zach Nunn |
| S-3166 | S.F. | 567 | Jim Carlin |
| S-3167 | H.F. | 690 | Robert M. Hogg |

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 17, 2019

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by Pastor Stephen Moore of the Horton Baptist Church in Waverly, Iowa. He was the guest of Senator Johnson.

The National Anthem was sung by Matthew Hrdlicka. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by William, Caroline, and Alexander Long, the children of Senator Johnson's secretary, Jennifer Long.

The Journal of Wednesday, April 16, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 265, a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date.

Senate File 303, a bill for an act relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary.

Senate File 319, a bill for an act relating to peace officers and retired peace officers who provide street or highway driving instruction.

ALSO: That the House has on April 16, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 188, a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university. (S-3170)

Senate File 302, a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable. (S-3168)

Senate File 563, a bill for an act relating to pharmacy benefit managers and information related to the management of prescription drug benefits, and including applicability provisions. (S-3169)

Senate File 609, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection. (S-3171)

ALSO: That the House has on April 16, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 537, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way.

Read first time and attached to **companion Senate File 611**.

House File 749, a bill for an act relating to snowmobile user permits and registration fees.

Read first time and referred to committee on **Ways and Means**.

House File 750, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

Read first time and attached to **similar Senate File 614**.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:14 a.m. until 3:00 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:

IOWA LOTTERY AUTHORITY

Iowa Lottery Authority Quarterly Report, pursuant to Iowa Code section 99G.7. Report received on April 17, 2019.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Patrick Junker, Waukee—For winning the American Legion's 82nd Annual National Oratorical Contest. Senator Chapman.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Wednesday, April 17, 2019, 8:00 a.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, T. Taylor, and Wahls.

Members Absent: Shipley (excused).

Committee Business: HF 759, HF 765, and HF 756.

Adjourned: 8:50 a.m.

STUDY BILL RECEIVED

SSB 1261 Government Oversight

Relating to lobbying activities by political subdivisions.

SUBCOMMITTEE ASSIGNMENTS

House File 749

WAYS AND MEANS: Brown, Chair; Edler and Giddens

SSB 1261

GOVERNMENT OVERSIGHT: Sinclair, Chair; Bisignano and Whiting

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 756, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Recommendation: DO PASS.

Final Vote: Yeas, 20: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, T. Taylor, and Wahls. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 759, 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: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3173.

Final Vote: Yeas, 12: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, and Schneider. Nays, 8: Bolkcom, Celsi, Dotzler, Lykam, Mathis, Ragan, T. Taylor, and Wahls. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 765, 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: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3174.

Final Vote: Yeas, 13: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Miller-Meeks, Rozenboom, and Schneider. Nays, 7: Bolkcom, Celsi, Dotzler, Mathis, Ragan, T. Taylor, and Wahls. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 3:40 p.m., President Schneider presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 567

Senator Whitver called up for consideration **Senate File 567**, a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies, amended by the House in House amendment S-3163, filed April 16, 2019.

Senator Carlin offered amendment S-3166, filed by him on April 16, 2019, to pages 1-5 of House amendment S-3163, and moved its adoption.

Amendment S-3166 to amendment S-3163 was adopted by a voice vote.

Senator Carlin 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 Carlin 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. 567), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 File 415 and House Files 516 and 634.

Senate File 415

On motion of Senator Miller-Meeks, **Senate File 415**, a bill for an act relating to the suspension of Medicaid coverage for an inmate of a public institution, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Miller-Meeks asked and received unanimous consent that **House File 423** be **substituted** for **Senate File 415**.

House File 423

On motion of Senator Miller-Meeks, **House File 423**, a bill for an act relating to the suspension of Medicaid coverage for an inmate of a public institution, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Miller-Meeks moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 423), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 516

On motion of Senator Segebart, **House File 516**, a bill for an act relating to voting membership on joint 911 service boards, placed on the Unfinished Business Calendar on April 11, 2019, 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. 516), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Miller-Meeks asked and received unanimous consent that **Senate File 415** be **withdrawn** from further consideration of the Senate.

House File 634

On motion of Senator Whiting, **House File 634**, a bill for an act relating to certain boards and councils in the department of human rights including the establishment of the justice advisory board and the elimination of the criminal and juvenile justice planning advisory council, the public safety advisory board, and the sex offender research council, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Whiting 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. 634), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 567** and **House Files 423, 516, and 634** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Unfinished Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 637 and 691.

House File 637

On motion of Senator Cournoyer, **House File 637**, a bill for an act relating to reports relating to misconduct of certain school employees required to be submitted to the board of educational examiners, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer 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, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 691

On motion of Senator Costello, **House File 691**, a bill for an act relating to funding of county mental health and disability services by modifying provisions relating to the use of specified excess cash flow funds, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, and including effective date and retroactive applicability provisions, 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. 691), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 604.

Senate File 604

On motion of Senator Dawson, **Senate File 604**, a bill for an act relating to the calculation of certain court costs in probate matters, and including effective date and applicability 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. 604), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 604** and **House Files 637** and **691** be **immediately messaged** to the House.

The Senate stood at ease at 4:08 p.m. until the fall of the gavel.

The Senate resumed session at 5:39 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 17, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 170, a bill for an act relating to the publication duties of and the filling of vacancies on county agricultural extension councils and including effective date and applicability provisions.

Senate File 283, a bill for an act relating to conflicts of interest in certain government public contracts.

Senate File 475, a bill for an act providing for notarial acts, including by providing for the use of electronic media, providing penalties, and including effective date provisions.

Senate File 505, a bill for an act modifying provisions relating to the licensure of professional landscape architects.

ALSO: That the House has on April 17, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 227, a bill for an act relating to the display of registration plates on motor vehicles. (S-3184)

Senate File 409, a bill for an act relating to administrative procedures within the department of natural resources. (S-3183)

ALSO: That the House has on April 17, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 596, a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

Read first time and attached to **companion Senate File 602**.

House File 609, a bill for an act to legalize the participation in the instructional support program by the Bennett community school district, and providing an effective date.

Read first time and referred to committee on **Education**.

House File 767, a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 617.

Senate File 617

On motion of Senator R. Smith, **Senate File 617**, a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions, was taken up for consideration.

Senator R. Smith offered amendment S-3176, filed by him from the floor to pages 1, 4-8, 11, 12, 14-16, and 18-28 of the bill, and moved its adoption.

Amendment S-3176 was adopted by a voice vote.

Senator R. Smith offered amendment S–3182, filed by Senators R. Smith and Boulton from the floor to pages 16 and 26 of the bill, and moved its adoption.

Amendment S–3182 was adopted by a voice vote.

Senator R. 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. 617), the vote was:

Yeas, 31:

| | | | |
|------------|-----------|--------------|------------|
| Bisignano | Boulton | Breitbart | Brown |
| Cournoyer | Dawson | Dotzler | Edler |
| Greene | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Petersen | Ragan | Schneider | Shipley |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Whitver | Zumbach | |

Nays, 18:

| | | | |
|---------|----------|-----------|-----------|
| Behn | Bolkcom | Carlin | Celsi |
| Chapman | Costello | Feenstra | Garrett |
| Giddens | Hogg | Quirnbach | Rozenboom |
| Schultz | Segebart | Sinclair | Wahls |
| Whiting | Zaun | | |

Absent, 1:

Guth

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 617** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 302

Senator Whitver called up for consideration **Senate File 302**, a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable, amended by the House in House amendment S-3168, filed April 17, 2019.

Senator Cournoyer 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 Cournoyer 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. 302), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 1:

Hogg

Absent, 1:

Guth

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 Senate File 544.

Senate File 544

On motion of Senator Carlin, **Senate File 544**, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Carlin offered amendment S-3175, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3175 was adopted by a voice vote.

Senator Carlin asked and received unanimous consent that **House File 731** be **substituted** for **Senate File 544**.

House File 731

On motion of Senator Carlin, **House File 731**, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training requirements, placed on the Unfinished Business Calendar on April 4, 2019, 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. 731), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |

| | | | |
|--------------|-----------|------------|------------|
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Guth

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 544** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 302** and **House File 731** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 563

Senator Whitver called up for consideration **Senate File 563**, a bill for an act relating to pharmacy benefit managers and information related to the management of prescription drug benefits, and including applicability provisions, amended by the House in House amendment S-3169, filed April 17, 2019.

Senator Miller-Meeks 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 Miller-Meeks 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. 563), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Guth

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 563** be **immediately messaged** to the House.

The Senate stood at ease at 6:14 p.m. until the fall of the gavel.

The Senate resumed session at 6:27 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 692.

House File 692

On motion of Senator R. Smith, **House File 692**, a bill for an act relating to the tracking and counting of mailed absentee ballots, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator R. Smith offered amendment S-3119, filed by the committee on State Government on April 4, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Jochum offered amendment S-3177, filed by her from the floor to pages 1-53 and 57-59 of amendment S-3119, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3177 to amendment S-3119 be adopted?” (H.F. 692), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kapucian | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 30:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Johnson | Koelker | Kraayenbrink | Lofgren |
| Miller-Meeks | Nunn | Rozenboom | Schneider |

Schultz
Smith, R.
Zaun

Segebart
Sweeney
Zumbach

Shipley
Whiting

Sinclair
Whitver

Absent, 1:

Guth

Amendment S–3177 to amendment S–3119 lost.

Senator Celsi offered amendment S–3178, filed by her from the floor to pages 1–59 of amendment S–3119, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3178 to amendment S–3119 be adopted?” (H.F. 692), the vote was:

Yeas, 18:

Bisignano
Dotzler
Kinney
Quirmbach
Taylor, T.

Bolkcom
Giddens
Lykam
Ragan
Wahls

Boulton
Hogg
Mathis
Smith, J.

Celsi
Jochum
Petersen
Taylor, R.

Nays, 31:

Behn
Chapman
Edler
Johnson
Lofgren
Schneider
Sinclair
Whitver

Breitbart
Costello
Feenstra
Kapucian
Miller-Meeks
Schultz
Smith, R.
Zaun

Brown
Cournoyer
Garrett
Koelker
Nunn
Segebart
Sweeney
Zumbach

Carlin
Dawson
Greene
Kraayenbrink
Rozenboom
Shipley
Whiting

Absent, 1:

Guth

Amendment S–3178 to amendment S–3119 lost.

Senator Celsi offered amendment S–3179, filed by her from the floor to pages 1–59 and amending the title page of amendment S–3119, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3179 to amendment S–3119 be adopted?” (H.F. 692), the vote was:

Yeas, 17:

| | | | |
|-----------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, T. |
| Wahls | | | |

Nays, 32:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Taylor, R. |
| Whiting | Whitver | Zaun | Zumbach |

Absent, 1:

Guth

Amendment S–3179 to amendment S–3119 lost.

Senator Celsi offered amendment S–3181, filed by her from the floor to pages 1–59 and amending the title page of amendment S–3119, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3181 to amendment S–3119 be adopted?” (H.F. 692), the vote was:

Yeas, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Nays, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, 1:

Guth

Amendment S–3181 to amendment S–3119 lost.

Senator R. Smith offered amendment S–3172, filed by him from the floor to pages 14–17, 23, 31, 37, 39–40, and 44–45 of amendment S–3119, and moved its adoption.

Amendment S–3172 to amendment S–3119 was adopted by a voice vote.

Senator R. Smith moved the adoption of amendment S–3119, as amended.

Amendment S–3119, as amended, was adopted by a voice vote.

Senator R. 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. 692), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, 1:

Guth

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 692** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 7:16 p.m. until 9:00 a.m., Thursday, April 18, 2019.

APPENDIX—2

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 EDUCATION

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9. Report received on April 17, 2019.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Wednesday, April 17, 2019, 9:40 a.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SJR 16, HF 546, SF 184, SF 444, SSB 1193, SSB 1246, SF 514, SF 314, SF 192, and SSB 1249.

Adjourned: 12:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 22, by committee on Ways and Means, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to restricting certain individual income tax changes.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

INTRODUCTION OF BILLS

Senate File 624, by committee on Ways and Means, a bill for an act providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 625, by committee on Ways and Means, a bill for an act creating an empower rural Iowa Act to provide incentives for broadband access.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 626, by committee on Ways and Means, a bill for an act relating to specific circumstances requiring the submission of a groundwater hazard statement with the declaration of value submitted to a county recorder in order to grant, assign, transfer, or convey real property.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 627, by committee on Ways and Means, a bill for an act relating to taking a capital gain deduction for the sale of real property used in a farming business.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 628, by committee on Ways and Means, a bill for an act relating to the excise taxes on motor fuel and certain special fuel, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 629, by committee on Ways and Means, a bill for an act relating to permits for vehicles of excessive size and weight, including vehicles transporting raw forest products, and providing for fees.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 630, by committee on Ways and Means, a bill for an act establishing a shortline railroad restoration tax credit, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 631, by committee on Ways and Means, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the administration and modification of certain tax credits and refunds, the individual and corporate income taxes, franchise taxes, franchise alternative minimum taxes, moneys and credits taxes, sales and use taxes, and automobile rental excise taxes, the assessment of property owned by certain long distance telephone companies, establishing a taxation and exemption of computers task force, and providing for other properly related matters, making penalties applicable, and 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 JOINT RESOLUTION 22 (formerly SJR 16), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to restricting certain individual income tax changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 5: Jochum, Bolkcom, Dotzler, Giddens, and Quirmbach. Absent, 1: Wahls.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 624 (formerly SF 444), a bill for an act providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, and Sweeney. Nays, none. Absent, 2: R. Smith and Wahls.

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 624, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 625 (SSB 1193), a bill for an act creating an empower rural Iowa Act to provide incentives for broadband access.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, and Sweeney. Nays, none. Absent, 2: R. Smith and Wahls.

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 625, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 626 (formerly SF 514), a bill for an act relating to specific circumstances requiring the submission of a groundwater hazard statement with the declaration of value submitted to a county recorder in order to grant, assign, transfer, or convey real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, and Sweeney. Nays, none. Absent, 2: R. Smith and Wahls.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 627 (formerly SF 192), a bill for an act relating to taking a capital gain deduction for the sale of real property used in a farming business.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Schultz, and Sweeney. Nays, 3: Jochum, Bolkcom, and Quirmbach. Absent, 2: R. Smith and Wahls.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 628 (SSB 1246), a bill for an act relating to the excise taxes on motor fuel and certain special fuel, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, and Sweeney. Nays, none. Absent, 2: R. Smith and Wahls.

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 628, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 629 (formerly SF 184), a bill for an act relating to permits for vehicles of excessive size and weight, including vehicles transporting raw forest products, and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, and Sweeney. Nays, 1: Schultz. Absent, 2: R. Smith and Wahls.

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 629, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 630 (formerly SF 314), a bill for an act establishing a shortline railroad restoration tax credit, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, and Sweeney. Nays, none. Absent, 2: R. Smith and Wahls.

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 630, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 631 (SSB 1249), a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the administration and modification of certain tax credits and refunds, the individual and corporate income taxes, franchise taxes, franchise alternative minimum taxes, moneys and credits taxes, sales and use taxes, and automobile rental excise taxes, the assessment of property owned by certain long distance telephone companies, establishing a taxation and exemption of computers task force, and providing for other properly related matters, making penalties applicable, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Giddens, Quirmbach, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 631, and they were attached to the committee report.

ALSO:

Bill Title: *HOUSE FILE 546, 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.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3180.

Final Vote: Yeas, 15: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, and Sweeney. Nays, 1: Chapman. Absent, 1: Wahls.

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 House File 546, and they were attached to the committee report.

AMENDMENTS FILED

| | | | |
|--------|------|-----|----------------------------|
| S-3168 | S.F. | 302 | House |
| S-3169 | S.F. | 563 | House |
| S-3170 | S.F. | 188 | House |
| S-3171 | S.F. | 609 | House |
| S-3172 | H.F. | 692 | Roby Smith |
| S-3173 | H.F. | 759 | Appropriations |
| S-3174 | H.F. | 765 | Appropriations |
| S-3175 | S.F. | 544 | Jim Carlin |
| S-3176 | S.F. | 617 | Roby Smith |
| S-3177 | H.F. | 692 | Pam Jochum |
| S-3178 | H.F. | 692 | Claire A. Celsi |
| S-3179 | H.F. | 692 | Claire A. Celsi |
| S-3180 | H.F. | 546 | Ways and Means |
| S-3181 | H.F. | 692 | Claire A. Celsi |
| S-3182 | S.F. | 617 | Roby Smith Nate Boulton |
| S-3183 | S.F. | 409 | House |
| S-3184 | S.F. | 227 | House |

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 18, 2019

The Senate met in regular session at 9:07 a.m., President Schneider presiding.

Prayer was offered by Pastor 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 Sam Sampson.

The Journal of Wednesday, April 17, 2019, was approved.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:58 a.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mathis, until she arrives, on request of Senator Petersen.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 304 and 387.

House File 304

On motion of Senator Greene, **House File 304**, a bill for an act relating to reports of personal degradation by caretakers of dependent adults in facilities and programs regulated by the department of inspections and appeals, placed on the Unfinished Business Calendar on April 11, 2019, 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. 304), the vote was:

Yeas, 49:

| | | | |
|--------------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 387

On motion of Senator Brown, **House File 387**, a bill for an act relating to distance requirements for certain motor vehicles following other vehicles, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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. 387), the vote was:

Yeas, 49:

| | | | |
|--------------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Mathis

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 304 and 387** 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 643 and 719.

House File 643

On motion of Senator Cournoyer, **House File 643**, a bill for an act relating to driver's licenses and nonoperator's identification cards marked to reflect deaf or hard-of-hearing status, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer 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. 643), the vote was:

Yeas, 49:

| | | | |
|--------------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 719

On motion of Senator Garrett, **House File 719**, a bill for an act relating to participation in conciliation related to a dissolution of marriage, placed on the Unfinished Business Calendar on April 11, 2019, 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. 719), the vote was:

Yeas, 49:

| | | | |
|--------------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Mathis

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 623.

Senate File 623

On motion of Senator Rozenboom, **Senate File 623**, 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 Rozenboom asked and received unanimous consent that **House File 389** be **substituted** for **Senate File 623**.

House File 389

On motion of Senator Rozenboom, **House File 389**, 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 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. 389), the vote was:

Yeas, 48:

| | | | |
|--------------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Miller-Meeks |
| Nunn | Petersen | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 1:

Celsi

Absent, 1:

Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Rozenboom asked and received unanimous consent that **Senate File 623** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 389, 643, and 719** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:38 a.m. until 11:00 a.m., Friday, April 19, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, April 18, 2019, 1:25 p.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: Lykam and Mathis (both excused).

Committee Business: SSB 1257 and HF 758.

Adjourned: 2:00 p.m.

WAYS AND MEANS

Convened: Thursday, April 18, 2019, 11:50 a.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SSB 1258, SSB 1150, and SSB 1260.

Adjourned: 1:20 p.m.

INTRODUCTION OF BILLS

Senate File 632, by committee on Appropriations, a bill for an act making appropriations to the department of public health for the gambling treatment program.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 633, by committee on Ways and Means, a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 634, by committee on Ways and Means, a bill for an act relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, requiring establishment of a property tax system advisory group, modifying provisions relating to property tax credits for persons who have reached sixty-five years of age, modifying provisions relating to the state appraisal manual, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 635, by committee on Ways and Means, a bill for an act reestablishing individual income tax checkoffs for the Iowa state fair foundation fund and the joint income tax checkoff for the veterans trust fund and the volunteer fire fighter preparedness fund.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

STUDY BILL RECEIVED

SSB 1262 Appropriations

Relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1262

APPROPRIATIONS: Breitbach, Chair; Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 632, a bill for an act making appropriations to the department of public health for the gambling treatment program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 19: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, 2: Lykam and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 758, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3185.

Final Vote: Yeas, 13: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 6: Bolkcom, Celsi, Dotzler, Ragan, T. Taylor, and Wahls. Absent, 2: Lykam and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 633 (SSB 1150), a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 633, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 634 (SSB 1260), a bill for an act relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, requiring establishment of a property tax system advisory group, modifying provisions relating to property tax credits for persons who have reached sixty-five years of age, modifying provisions relating to the state appraisal manual, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Nunn, Schultz, R. Smith, and Sweeney. Nays, 7: Jochum, Bolkcom, Dotzler, Edler, Giddens, Quirmbach, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 634, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 635 (SSB 1258), a bill for an act reestablishing individual income tax checkoffs for the Iowa state fair foundation fund and the joint income tax checkoff for the veterans trust fund and the volunteer fire fighter preparedness fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 635, and they were attached to the committee report.

AMENDMENT FILED

S-3185 H.F. 758 Appropriations

JOURNAL OF THE SENATE

NINETY-SIXTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 19, 2019

The Senate met in regular session at 11:05 a.m., President Schneider presiding.

Prayer was offered by Andy Conlin. He was the guest of President Schneider.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Caleb Hunter.

The Journal of Thursday, April 18, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 158, a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

Senate File 323, a bill for an act relating to canned cocktails and including effective date provisions.

Senate File 364, a bill for an act relating to the Iowa sobriety and drug monitoring program.

Senate File 379, a bill for an act relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa.

Senate File 435, A bill for an act relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions.

Senate File 531, a bill for an act relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals.

ALSO: That the House has on April 18, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 275, a bill for an act relating to the criminal offenses of assault by threat of a targeted attack and cyberharassment, and providing penalties. (S-3186)

Senate File 394, a bill for an act relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program. (S-3187)

Senate File 548, a bill for an act relating to the acquisition, donation, or sale of real property for specified purposes. (S-3188)

Senate File 570, a bill for an act providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances. (S-3189)

Senate File 572, a bill for an act relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions. (S-3190)

ALSO: That the House has on April 18, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 328, a bill for an act relating to the definition of vulnerable elder.

Read first time and attached to **similar Senate File 152**.

House File 753, 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 **Ways and Means**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:08 a.m. until 12:00 p.m., Monday, April 22, 2019.

APPENDIX

AMENDMENTS FILED

| | | | |
|--------|------|-----|-------|
| S-3186 | S.F. | 275 | House |
| S-3187 | S.F. | 394 | House |
| S-3188 | S.F. | 548 | House |
| S-3189 | S.F. | 570 | House |
| S-3190 | S.F. | 572 | House |

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 22, 2019

The Senate met in regular session at 12:10 p.m., President Schneider 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 Jackson Birdwell.

The Journal of Friday, April 19, 2019, was approved.

The Senate stood at ease at 12:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:13 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Segebart, until he arrives, on request of Senator Sinclair.

HOUSE AMENDMENTS CONSIDERED

Senate File 267

Senator Whitver called up for consideration **Senate File 267**, a bill for an act relating to the practice of massage therapy, and providing penalties, amended by the House in House amendment S-3162, filed April 16, 2019.

Senator Zaun 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 Zaun 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. 267), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 394

Senator Whitver called up for consideration **Senate File 394**, a bill for an act relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program, amended by the House in House amendment S-3187, filed April 19, 2019.

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 voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 394), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

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 Files 186 and 541.

Senate File 186

On motion of Senator Breitbach, **Senate File 186**, a bill for an act to increase the maximum capacity of certain motor vehicles operated by school district employees to transport children to activity events or from school to home in unusual situations, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach offered amendment S-3192, 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-3192 was adopted by a voice vote.

Senator Breitbach asked and received unanimous consent that **House File 499** be substituted for **Senate File 186**.

House File 499

On motion of Senator Breitbach, **House File 499**, a bill for an act to increase the maximum capacity of certain motor vehicles operated by school district employees to transport children to activity events or from school to home in unusual situations, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach offered amendment S-3193, 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-3193 was adopted by a voice vote.

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. 499), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Breitbart asked and received unanimous consent that **Senate File 186** be **withdrawn** from further consideration of the Senate.

Senate File 541

On motion of Senator Edler, **Senate File 541**, a bill for an act relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Edler asked and received unanimous consent that **House File 625** be **substituted** for **Senate File 541**.

House File 625

On motion of Senator Edler, **House File 625**, a bill for an act relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services, placed on the Unfinished Business Calendar on April 4, 2019, 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. 625), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

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 541** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 267** and **394** and **House Files 499** and **625** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 756.

House File 756

On motion of Senator Lofgren, **House File 756**, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren offered amendment S-3191, filed by him from the floor to page 3 of the bill, and moved its adoption.

Amendment S-3191 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?" (H.F. 756), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |

Schultz
Smith, R.
Wahls
Zumbach

Shipley
Sweeney
Whiting

Sinclair
Taylor, R.
Whitver

Smith, J.
Taylor, T.
Zaun

Nays, none.

Absent, 1:

Segebart

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 605.

Senate File 605

On motion of Senator Edler, **Senate File 605**, a bill for an act relating to the application fee and annual fee imposed for nonassistance child support cases, 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. 605), the vote was:

Yeas, 49:

Behn
Breitbach
Chapman
Dotzler
Giddens
Jochum
Koelker
Mathis
Quirmbach
Schultz
Smith, R.
Wahls
Zumbach

Bisignano
Brown
Costello
Edler
Greene
Johnson
Kraayenbrink
Miller-Meeks
Ragan
Shipley
Sweeney
Whiting

Bolkcom
Carlin
Cournoyer
Feenstra
Guth
Kapucian
Lofgren
Nunn
Rozenboom
Sinclair
Taylor, R.
Whitver

Boulton
Celsi
Dawson
Garrett
Hogg
Kinney
Lykam
Petersen
Schneider
Smith, J.
Taylor, T.
Zaun

Nays, none.

Absent, 1:

Segebart

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 605** and **House File 756** 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 619.

Senate File 619

On motion of Senator Nunn, **Senate File 619**, a bill for an act modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions, was taken up for consideration.

Senator Nunn withdrew amendment S-3165, filed by him on April 16, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Nunn offered amendment S-3194, filed by him from the floor, striking and replacing everything after the enacting clause of the bill.

Amendment S-3194 was adopted by a voice vote.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 619), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

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 619** be **immediately messaged** to the House.

The Senate stood at ease at 1:50 p.m. until the fall of the gavel.

The Senate resumed session at 4:28 p.m., President Schneider presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 188

Senator Whitver called up for consideration **Senate File 188**, a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university, amended by the House in House amendment S–3170, filed April 17, 2019.

Senator Sinclair offered amendment S–3196, filed by her from the floor to page 1 of House amendment S–3170, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3196 to House amendment S–3170 be adopted?” (S.F. 188), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

Amendment S–3196 to House amendment S–3170 was adopted.

Senator Sinclair moved that the Senate concur in the House amendment, as amended.

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” (S.F. 188), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |

| | | | |
|-----------|--------------|------------|------------|
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

The motion prevailed and the Senate **concurred** in the House amendment, as amended.

Senator Sinclair 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. 188), the vote was:

Yeas, 38:

| | | | |
|--------------|------------|-----------|--------------|
| Behn | Bisignano | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Taylor, R. | Taylor, T. | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 11:

| | | | |
|---------|-----------|----------|-----------|
| Bolkcom | Celsi | Giddens | Hogg |
| Jochum | Mathis | Petersen | Quirnbach |
| Ragan | Smith, J. | Wahls | |

Absent, 1:

Segebart

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 188** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 765.

House File 765

On motion of Senator Johnson, **House File 765**, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Johnson deferred amendment S-3174, filed by the committee on Appropriations on April 17, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Johnson offered amendment S-3195, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Johnson offered amendment S-3197, filed by him from the floor to pages 12 and 15 of amendment S-3195, and moved its adoption.

Amendment S-3197 to amendment S-3195 was adopted by a voice vote.

Senator Johnson moved the adoption of amendment S-3195, as amended.

Amendment S-3195, as amended, was adopted by a voice vote.

With the adoption of amendment S-3195, the Chair ruled amendment S-3174, previously deferred, out of order.

Senator 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. 765), the vote was:

Yeas, 36:

| | | | |
|-----------|-----------|--------------|----------|
| Behn | Boulton | Breitbart | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Edler | Feenstra |
| Garrett | Greene | Guth | Johnson |
| Kapucian | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Miller-Meeks | Nunn |
| Ragan | Rozenboom | Schneider | Schultz |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 13:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Dotzler | Giddens |
| Hogg | Jochum | Kinney | Petersen |
| Quirmbach | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, 1:

Segebart

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 765** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 609

Senator Whitver called up for consideration **Senate File 609**, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, amended by the House in House amendment S-3171, filed April 17, 2019.

Senator Shipley offered amendment S-3199, filed by him from the floor to pages 1-24 of House amendment S-3171, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3199 to House amendment S-3171 be adopted?" (S.F. 609), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Segebart

Amendment S-3199 to House amendment S-3171 was adopted.

Senator Shipley 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 Shipley 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. 609), the vote was:

Yeas, 33:

| | | | |
|---------|--------------|-----------|--------------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Quirnbach | Rozenboom | Schneider |
| Schultz | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 16:

| | | | |
|-----------|------------|------------|--------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Lykam | Mathis | Petersen | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Absent, 1:

Segebart

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 609** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:21 p.m. until 9:00 a.m., Tuesday, April 23, 2019.

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

Medicaid Managed Care Oversight Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on April 22, 2019.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Ryan Adam of the Dowling Catholic High School Football Team—For winning the 2018 Class 4A State Football Championship. Senator Zaun.

Jesse Alger of the Dowling Catholic High School Football Team—For winning the 2018 Class 4A State Football Championship. Senator Zaun.

Max Beh of the Dowling Catholic High School Football Team—For winning the 2018 Class 4A State Football Championship. Senator Zaun.

Charles Fuller—For serving in Vietnam as a Platoon Sergeant. Senator T. Taylor.

Jack Keough of the Dowling Catholic High School Football Team—For winning the 2018 Class 4A State Football Championship. Senator Zaun.

Coach Tom Wilson of the Dowling Catholic High School Football Team—For winning the 2018 Class 4A State Football Championship. Senator Zaun.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, April 22, 2019, 5:25 p.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: None.

Committee Business: HF 766.

Adjourned: 6:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Monday, April 22, 2019, 10:00 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkcom, and Miller-Meeks.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:15 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 27, by Mathis, Hogg, Kinney, Kapucian, Zumbach, Johnson, Bolkcom, Wahls, and T. Taylor, a resolution for recognizing and congratulating the Kirkwood Community College basketball team on winning the 2019 National Junior College Athletic Association Division II national basketball tournament.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS**House File 609**

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

House File 753

WAYS AND MEANS: Dawson, Chair; Dotzler and Schultz

House File 767

WAYS AND MEANS: R. Smith, Chair; Brown and Wahls

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 766, 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: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3201.

Final Vote: Yeas, 13: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 8: Bolkcom, Celsi, Dotzler, Lykam, Mathis, Ragan, T. Taylor, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 22nd day of April, 2019.

Senate Files 112, 402, 403, 506, and 507.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

| | | | |
|--------|------|-----|-------------------|
| S-3191 | H.F. | 756 | Mark Lofgren |
| S-3192 | S.F. | 186 | Michael Breitbach |
| S-3193 | H.F. | 499 | Michael Breitbach |
| S-3194 | S.F. | 619 | Zach Nunn |
| S-3195 | H.F. | 765 | Craig Johnson |
| S-3196 | S.F. | 188 | Amy Sinclair |
| S-3197 | H.F. | 765 | Craig Johnson |
| S-3198 | S.F. | 621 | Annette Sweeney |
| S-3199 | S.F. | 609 | Tom Shipley |
| S-3200 | H.F. | 758 | Tim Kraayenbrink |
| S-3201 | H.F. | 766 | Appropriations |

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 23, 2019

The Senate met in regular session at 9:06 a.m., President Schneider presiding.

Prayer was offered by Pastor Doug Van Der Pol of the Bethel 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 Seth Fiala.

The Journal of Monday, April 22, 2019, was approved.

RECESS

On motion of Senator Sinclair, the Senate recessed at 9:09 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:12 a.m., President Schneider presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 28, a resolution for honoring Frank Loeffel, Doorkeeper of the Iowa Senate.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Resolution 28, by committee on Rules and Administration, a resolution for honoring Frank Loeffel, Doorkeeper of the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 28.

Senate Resolution 28

On motion of Senator Zaun, **Senate Resolution 28**, a resolution for honoring Frank Loeffel, Doorkeeper of the Iowa Senate, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved the adoption of Senate Resolution 28, which motion prevailed by a voice vote.

The Senate stood at ease at 9:25 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:57 a.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 22, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 447, a bill for an act relating to the power of cities to regulate certain building restrictions, and including effective date provisions.

Senate File 617, a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

ALSO: That the House has on April 22, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 306, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal. (S-3203)

Senate File 502, a bill for an act relating to disclosures of certain information, including reprisals with respect to employees of a political subdivision of the state and providing information to employees concerning the office of ombudsman. (S-3204)

ALSO: That the House has on April 22, 2019, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 532, a bill for an act relating to the awarding of medical residency positions in the state.

ALSO: That the House has on April 22, 2019, **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 567, a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies.

ALSO: That the House has on April 22, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 741, a bill for an act relating to the property tax levy for the payment of general obligation bonds issued by cities for certain flood-related purposes and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 744, a bill for an act relating to licensing fees collected by the board of educational examiners and deposited in the general fund of the state, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 764, a bill for an act relating to publication and procedural provisions relating to proposed constitutional amendments and including effective date provisions.

Read first time and referred to committee on **Government Oversight**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Petersen, until she returns, on request of Senator Bolkcom.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 477 and House Files 743 and 291.

Senate File 477

On motion of Senator Segebart, **Senate File 477**, a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Segebart asked and received unanimous consent that **House File 644** be **substituted** for **Senate File 477**.

House File 644

On motion of Senator Segebart, **House File 644**, a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings, placed on the Unfinished Business Calendar on April 4, 2019, 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. 644), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Segebart asked and received unanimous consent that **Senate File 477** be **withdrawn** from further consideration of the Senate.

House File 743

On motion of Senator Cournoyer, **House File 743**, a bill for an act requiring that the general assembly provide for the publication of certain material and associated electronic records pertaining to official legal publications, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Cournoyer offered amendment S-3118, filed by the committee on State Government on April 4, 2019, to pages 6 and 7 of the bill, and moved its adoption.

Amendment S-3118 was adopted by a voice vote.

Senator Cournoyer 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. 743), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 291

On motion of Senator Segebart, **House File 291**, a bill for an act relating to the community spouse resource allowance under the Medicaid program, placed on the Unfinished Business Calendar on April 11, 2019, 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. 291), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

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 620.

Senate File 620

On motion of Senator Feenstra, **Senate File 620**, a bill for an act relating to the procedure for disposal of certain city utilities by sale, 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. 620), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

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 620** and **House Files 291, 644, and 743** 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 632.

Senate File 632

On motion of Senator R. Smith, **Senate File 632**, a bill for an act making appropriations to the department of public health for the gambling treatment program, was taken up for consideration.

Senator R. 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. 632), the vote was:

Yeas, 47:

| | | | |
|--------------|------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Quirmbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, T. | Wahls | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 2:

Hogg Taylor, R.

Absent, 1:

Petersen

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 612, 614, and 629.

Senate File 612

On motion of Senator Nunn, **Senate File 612**, a bill for an act relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 612), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 614

On motion of Senator Edler, **Senate File 614**, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects, was taken up for consideration.

Senator Edler offered amendment S-3202, filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment S-3202 was adopted by a voice vote.

Senator Edler asked and received unanimous consent that **House File 750** be substituted for **Senate File 614**.

House File 750

On motion of Senator Edler, **House File 750**, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects, 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. 750), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |

| | | | |
|-----------|--------------|------------|------------|
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

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 614** be **withdrawn** from further consideration of the Senate.

Senate File 629

On motion of Senator Brown, **Senate File 629**, a bill for an act relating to permits for vehicles of excessive size and weight, including vehicles transporting raw forest products, and providing for fees, 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. 629), the vote was:

Yeas, 37:

| | | | |
|-----------|-----------|--------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Guth | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Lykam | Mathis | Ragan | Rozenboom |

Schneider
Taylor, T.
Zumbach

Shipley
Wahls

Smith, R.
Whiting

Sweeney
Whitver

Nays, 12:

Celsi
Nunn
Sinclair

Greene
Quirmbach
Smith, J.

Hogg
Schultz
Taylor, R.

Miller-Meeks
Segebart
Zaun

Absent, 1:

Petersen

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 612, 629, and 632** and **House File 750** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 525.

Senate File 525

On motion of Senator Garrett, **Senate File 525**, a bill for an act permitting qualified entities to request national criminal history checks of certain covered individuals, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Garrett offered amendment S-3205, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3205 was adopted by a voice vote.

Senator Garrett asked and received unanimous consent that **House File 681** be **substituted** for **Senate File 525**.

House File 681

On motion of Senator Garrett, **House File 681**, a bill for an act permitting qualified entities to request national criminal history checks of certain covered individuals, 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. 681), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Petersen

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 525** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 681** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:47 a.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 3:23 p.m., President Schneider presiding.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 611, 618, and 621.

Senate File 611

On motion of Senator Sinclair, **Senate File 611**, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that **House File 537** be **substituted** for **Senate File 611**.

House File 537

On motion of Senator Sinclair, **House File 537**, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **House File 537** be **deferred**.

Senate File 618

On motion of Senator Johnson, **Senate File 618**, 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 and including effective date provisions, was taken up for consideration.

Senator 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. 618), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 2:

| | |
|-------|------|
| Celsi | Hogg |
|-------|------|

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 621

On motion of Senator Sweeney, **Senate File 621**, a bill for an act relating to access to a copy of an original birth certificate by an adoptee or an entitled person, providing for fees, and including effective date provisions, was taken up for consideration.

Senator Sweeney offered amendment S–3198, filed by her on April 22, 2019, to pages 1–6 and amending the title page of the bill, and moved its adoption.

Amendment S–3198 was adopted by a voice vote.

Senator Sweeney 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. 621), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 Files 618 and 621** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 409

Senator Whitver called up for consideration **Senate File 409**, a bill for an act relating to administrative procedures within the department of natural resources, amended by the House in House amendment S-3183, filed April 17, 2019.

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. 409), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 548

Senator Whitver called up for consideration **Senate File 548**, a bill for an act relating to the acquisition, donation, or sale of real property for specified purposes, amended by the House in House amendment S-3188, filed April 19, 2019.

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. 548), the vote was:

Yeas, 33:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 17:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Lykam | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 570

Senator Whitver called up for consideration **Senate File 570**, a bill for an act providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances, amended by the House in House amendment S-3189, filed April 19, 2019.

Senator Sweeney 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 Sweeney 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. 570), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bolkcom | Boulton | Breitbart |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 1:

Bisignano

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 409, 548, and 570** be **immediately messaged** to the House.

BUSINESS PENDING

House File 537

The Senate resumed consideration of **House File 537**, a bill for an act relating to the imposition of certain fees on public utilities for the use of public rights-of-way, previously deferred.

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. 537), the vote was:

Yeas, 32:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Ragan | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zumbach |

Nays, 18:

| | | | |
|-----------|-----------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Lykam | Mathis | Petersen | Quirmbach |
| Rozenboom | Smith, J. | Taylor, R. | Taylor, T. |
| Wahls | Zaun | | |

Absent, none.

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 611** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 537** be **immediately messaged** to the House.

The Senate stood at ease at 4:05 p.m. until the fall of the gavel.

The Senate resumed session at 4:48 p.m., President Schneider presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 758.

House File 758

On motion of Senator Kraayenbrink, **House File 758**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kraayenbrink deferred amendment S-3185, filed by the committee on Appropriations on April 17, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Kraayenbrink offered amendment S-3200, filed by him on April 22, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Mathis offered amendment S-3207, filed by her from the floor to pages 11 and 22 of amendment S-3200, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3207 to amendment S-3200 be adopted?" (H.F. 758), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Carlin |
| Celsi | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Breitbach | Brown | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Amendment S-3207 to amendment S-3200 lost.

Senator Quirmbach offered amendment S-3208, filed by Senator Quirmbach, et al., from the floor to page 15 of amendment S-3200, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3208 to amendment S-3200 be adopted?" (H.F. 758), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Carlin |
| Celsi | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|-----------|--------------|----------|--------------|
| Behn | Breitbach | Brown | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Amendment S–3208 to amendment S–3200 lost.

Senator Kraayenbrink offered amendment S–3210, filed by him from the floor to page 22 of amendment S–3200, and moved its adoption.

Amendment S–3210 to amendment S–3200 was adopted by a voice vote.

Senator Boulton offered amendment S–3209, filed by Senator R. Taylor, et al., from the floor to page 22 of amendment S–3200, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3209 to amendment S–3200 be adopted?” (H.F. 758), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Greene | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|---------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |

| | | | |
|-----------|-----------|----------|---------|
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Amendment S-3209 to amendment S-3200 lost.

Senator Kraayenbrink moved the adoption of amendment S-3200, as amended.

Amendment S-3200, as amended, was adopted by a voice vote.

With the adoption of amendment S-3200, the Chair ruled amendment S-3185, previously deferred, 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?" (H.F. 758), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 634 and House File 546.

Senate File 634

On motion of Senator Feenstra, **Senate File 634**, a bill for an act relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, requiring establishment of a property tax system advisory group, modifying provisions relating to property tax credits for persons who have reached sixty-five years of age, modifying provisions relating to the state appraisal manual, and including effective date and applicability provisions, was taken up for consideration.

Senator Petersen asked and received unanimous consent that action on **Senate File 634** be **deferred**.

House File 546

On motion of Senator Dawson, **House File 546**, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on **House File 546** be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 758** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:50 p.m. until 9:00 a.m., Wednesday, April 24, 2019.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

The Shen Yun Performers—For showcasing incredible talents and commitment to the arts. Senator Nunn.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Tuesday, April 23, 2019, 1:00 p.m.

Members Present: Breitbach, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

Members Absent: None.

Committee Business: SSB 1262, amendment 2302.

Adjourned: 1:30 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, April 23, 2019, 9:05 a.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: SR 28.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: Tuesday, April 23, 2019, 12:05 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: SF 187 and SF 593.

Adjourned: 12:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 29, by Wahls, Cournoyer, and Bolkcom, a resolution for recognizing Megan Gustafson for her outstanding academic and college basketball career at the University of Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 636, by committee on Ways and Means, a bill for an act relating to the exclusion from the individual income tax of certain net capital gains from the sale of real property used in a business, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 637, by committee on Ways and Means, a bill for an act relating to the gross weight of special trucks, and providing fees.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 638, 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 including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 741

WAYS AND MEANS: Dawson, Chair; Dotzler and Schultz

House File 744

WAYS AND MEANS: Chapman, Chair; Quirmbach and R. Smith

House File 764

GOVERNMENT OVERSIGHT: Sinclair, Chair; Bisignano, Celsi, Lofgren, and Whiting

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: *SENATE FILE 638 (SSB 1262), 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 including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 638, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: SENATE FILE 636 (formerly SF 593), a bill for an act relating to the exclusion from the individual income tax of certain net capital gains from the sale of real property used in a business, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Giddens, Quirmbach, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 637 (formerly SF 187), a bill for an act relating to the gross weight of special trucks, and providing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. 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 23, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 112 – Relating to the requirements for certifications of trust and including applicability provisions.

Senate File 402 – Providing for the good-faith submission of information, records, applications, and documents to the credit union division.

Senate File 403 – Relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

Senate File 506 – Relating to procedural requirements for the merger of state credit unions.

Senate File 507 – Relating to the definition of personal injuries arising out of and in the course of the employment for the purposes of compensable acts for workers' compensation.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Tuesday, April 23, 2019, when the vote was taken on Senate File 548. My vote yea represented an inadvertent and accidental use of the green button (yea), when in fact I had intended to utilize the red button (nay) in the vote. The President of the Senate had closed the voting system prior to my being able to change my vote. Let it herein be noted that I was not in favor of final passage of Senate File 548.

BRAD ZAUN

AMENDMENTS FILED

| | | | |
|--------|------|-----|---------------------|
| S-3202 | S.F. | 614 | Jeff Edler |
| S-3203 | S.F. | 306 | House |
| S-3204 | S.F. | 502 | House |
| S-3205 | S.F. | 525 | Julian B. Garrett |
| S-3206 | S.F. | 634 | Randy Feenstra |
| S-3207 | H.F. | 758 | Liz Mathis |
| S-3208 | H.F. | 758 | Herman C. Quirmbach |

| | | | |
|--------|------|-----|------------------|
| S-3209 | H.F. | 758 | Claire Celsi |
| | | | Zach Wahls |
| | | | Eric Giddens |
| | | | Rich Taylor |
| | | | Nate Boulton |
| | | | Pam Jochum |
| | | | Liz Mathis |
| | | | Jackie Smith |
| | | | Tony Bisignano |
| | | | Todd Taylor |
| S-3210 | H.F. | 758 | Jim Lykam |
| | | | Robert M. Hogg |
| | | | Kevin Kinney |
| | | | Tim Kraayenbrink |

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 24, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was offered by Pastor Mark Doss, regional associate and superintendent of the Evangelical Free Church in Des Moines, Iowa. He was the guest of Senator Edler.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kate Hapgood.

The Journal of Tuesday, April 23, 2019, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 605, a bill for an act relating to the application fee and annual fee imposed for nonassistance child support cases.

Senate File 618, 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 and including effective date provisions.

Senate File 619, a bill for an act modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions.

ALSO: That the House has on April 23, 2019, **concurred** in the Senate amendment to the House amendment **and passed** the following bills in which the concurrence of the House was asked:

Senate File 188, a bill for an act prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university.

Senate File 609, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection.

ALSO: That the House has on April 23, 2019, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 756, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

House File 765, 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 April 23, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 86, a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses. (S-3213)

Senate File 589, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions. (S-3212)

Senate File 599, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, including penalties, and providing implementation and effective date provisions. (S-3211)

Senate File 608, 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 college student aid commission, and the state board of regents and certain regents institutions, and properly related matters. (S-3214)

Senate File 615, a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions. (S-3215)

Senate File 616, a bill for an act relating to appropriations to the judicial branch. (S-3216)

ALSO: That the House has on April 23, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 772, a bill for an act creating an empower rural Iowa Act to provide incentives for broadband and workforce housing, and including effective date and applicability provisions.

Read first time and attached to **similar Senate File 625**.

RECESS

On motion of Senator Sinclair, the Senate recessed at 9:07 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.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 29, a resolution for recognizing Megan Gustafson for her outstanding academic and college basketball career at the University of Iowa.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Schneider, Petersen, Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 29.

Senate Resolution 29

On motion of Senator Wahls, **Senate Resolution 29**, a resolution for recognizing Megan Gustafson for her outstanding academic and college basketball career at the University of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Wahls moved the adoption of Senate Resolution 29, which motion prevailed by a voice vote.

SPECIAL GUEST

President Schneider introduced to the Senate chamber the Honorable Mark Chelgren, former member of the Senate from Wapello County, Ottumwa, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:21 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:06 a.m., President Schneider presiding.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:06 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 3:17 p.m., President Schneider presiding.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 224, 263, 289, 303, and 486.

House File 224

On motion of Senator Chapman, **House File 224**, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Petersen offered amendment S-3219, filed by her from the floor to pages 1 and 2 and amending the title page of the bill.

Senator Chapman raised the point of order that amendment S-3219 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3219 out of order.

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. 224), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 263

On motion of Senator Nunn, **House File 263**, a bill for an act relating to application fees for certain consumer loans, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 263), the vote was:

Yeas, 50:

| | | | |
|-----------|--------------|-----------|----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |

| | | | |
|------------|-----------|-----------|------------|
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 289

On motion of Senator Carlin, **House File 289**, a bill for an act concerning the distribution of gambling game receipts for charitable purposes, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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. 289), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 303

On motion of Senator Whiting, **House File 303**, a bill for an act relating to a statewide welcome center program, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Whiting 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. 303), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 486

On motion of Senator Johnson, **House File 486**, a bill for an act relating to community catalyst building remediation grants for emergency projects, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator 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. 486), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 224, 263, 289, 303, and 486** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 322, 426, and 594.

Senate File 322

On motion of Senator Nunn, **Senate File 322**, a bill for an act relating to the enhance Iowa board and moneys allocated by the board, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Nunn asked and received unanimous consent that **House File 305** be **substituted** for **Senate File 322**.

House File 305

On motion of Senator Nunn, **House File 305**, a bill for an act relating to the enhance Iowa board and moneys allocated by the board, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 305), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Nunn asked and received unanimous consent that **Senate File 322** be **withdrawn** from further consideration of the Senate.

Senate File 426

On motion of Senator Chapman, **Senate File 426**, a bill for an act including personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Chapman offered amendment S-3218, 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-3218 was adopted by a voice vote.

Senator Chapman asked and received unanimous consent that **House File 569** be **substituted** for **Senate File 426**.

House File 569

On motion of Senator Chapman, **House File 569**, a bill for an act including personal degradation of a dependent adult as a form of dependent adult abuse by a caretaker regulated by the department of human services, and making penalties applicable, 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. 569), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Chapman asked and received unanimous consent that **Senate File 426** be **withdrawn** from further consideration of the Senate.

Senate File 594

On motion of Senator Dawson, **Senate File 594**, a bill for an act relating to postconviction DNA profiling procedure, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson offered amendment S–3217, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S–3217 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 734** be **substituted** for **Senate File 594**.

House File 734

On motion of Senator Dawson, **House File 734**, a bill for an act relating to postconviction DNA profiling procedure, placed on the Unfinished Business Calendar on April 4, 2019, 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. 734), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 594** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 305, 569, and 734** 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 590 and 604.

House File 590

On motion of Senator R. Smith, **House File 590**, a bill for an act relating to tax return preparers, and providing penalties, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator R. 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. 590), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 604

On motion of Senator Kapucian, **House File 604**, a bill for an act relating to commercial fishing to remove underused, undesirable, and injurious organisms from waters of the state, and including applicability provisions, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Kapucian offered amendment S-3117, filed by him on April 4, 2019, to page 1 of the bill, and moved its adoption.

Amendment S-3117 was adopted by a voice vote.

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. 604), the vote was:

Yeas, 49:

| | | | |
|-----------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 1:

Taylor, R.

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 (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 625.

Senate File 625

On motion of Senator Feenstra, **Senate File 625**, a bill for an act creating an empower rural Iowa Act to provide incentives for broadband access, was taken up for consideration.

Senator Feenstra offered amendment S-3222, 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-3222 was adopted by a voice vote.

Senator Feenstra asked and received unanimous consent that **House File 772** be **substituted** for **Senate File 625**.

House File 772

On motion of Senator Feenstra, **House File 772**, a bill for an act creating an empower rural Iowa Act to provide incentives for broadband access, 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. 772), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 625** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 590, 604, and 772** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 608

Senator Whitver called up for consideration **Senate File 608**, 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 college student aid commission, and the state board of regents and certain regents institutions, and properly related matters, amended by the House in House amendment S-3214, filed April 24, 2019.

Senator Lofgren 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 Lofgren 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. 608), the vote was:

Yeas, 37:

| | | | |
|-----------|--------------|--------------|-----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Johnson |
| Kapucian | Koelker | Kraayenbrink | Lofgren |
| Mathis | Miller-Meeks | Nunn | Quirmbach |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 13:

| | | | |
|-----------|---------|------------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Hogg | Jochum | Kinney | Lykam |
| Petersen | Ragan | Taylor, R. | Taylor, T. |
| Wahls | | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 608** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 616

Senator Whitver called up for consideration **Senate File 616**, a bill for an act relating to appropriations to the judicial branch, amended by the House in House amendment S-3216, filed April 24, 2019.

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. 616), the vote was:

Yeas, 35:

| | | | |
|-----------|--------------|--------------|-----------|
| Behn | Bisignano | Breitbart | Brown |
| Carlin | Chapman | Costello | Cournoyer |
| Dawson | Edler | Feenstra | Garrett |
| Greene | Guth | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Mathis | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 15:

| | | | |
|------------|------------|--------|-----------|
| Bolkcom | Boulton | Celsi | Dotzler |
| Giddens | Hogg | Jochum | Lykam |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 616** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 615

Senator Whitver called up for consideration **Senate File 615**, a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions, amended by the House in House amendment S-3215, filed April 24, 2019.

Senator Hogg offered amendment S-3223, filed by him from the floor to pages 1, 18, and 19 of amendment S-3215, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3223 to amendment S-3215 be adopted?” (S.F. 615), the vote was:

Yeas, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Nays, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Amendment S-3223 to amendment S-3215 lost.

President Pro Tempore Behn took the chair at 4:53 p.m.

Senator Hogg offered amendment S-3224, filed by Senators Hogg and T. Taylor from the floor to pages 11, 16, and 20 of amendment S-3215, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3224 to amendment S-3215 be adopted?” (S.F. 615), the vote was:

Yeas, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kapucian | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Nays, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, none.

Amendment S-3224 to amendment S-3215 lost.

Senator Hogg offered amendment S-3221, filed by Senators Hogg and T. Taylor from the floor to pages 20-22 of amendment S-3215, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3221 to amendment S–3215 be adopted?” (S.F. 615), the vote was:

Yeas, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Nays, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, none.

Amendment S–3221 to amendment S–3215 lost.

President Schneider took the chair at 5:27 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. 615), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|---------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |

| | | | |
|-----------|-----------|-----------|----------|
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirnbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 615** 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 24, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 203, a bill for an act relating to stocking private waters and fishing on such waters. (S-3226)

Senate File 592, a bill for an act relating to the practice and licensure of physician assistants, and providing penalties. (S-3225)

ALSO: That the House has on April 24, 2019, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

House File 758, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date provisions.

ALSO: That the House has on April 24, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 742, a bill for an act relating to the assessment of an agricultural crime surcharge on criminal offenses involving crops, livestock, or honeybees, and making an appropriation.

Read first time and referred to committee on **Appropriations**.

House File 768, a bill for an act relating to agricultural development, by providing for the Iowa finance authority, a beginning farmer tax credit program, fees, and including effective date and retroactive applicability provisions.

Read first time and attached to **similar Senate File 624**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Quirmbach, until he returns, on request of Senator Petersen.

UNFINISHED BUSINESS (Deferred April 23, 2019)

Senate File 634

The Senate resumed consideration of **Senate File 634**, a bill for an act relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, modifying provisions relating to the state appraisal manual, and including applicability provisions, deferred April 23, 2019.

Senator Feenstra offered amendment S-3206, filed by him on April 23, 2019, to pages 1–31 and amending the title page of the bill.

Senator Jochum offered amendment S-3220, filed by Senator Jochum, et al., from the floor to pages 1 and 13 of amendment S-3206, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3220 to amendment S–3206 be adopted?” (S.F. 634), the vote was:

Yeas, 20:

| | | | |
|-----------|------------|------------|---------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Dotzler | Giddens |
| Hogg | Jochum | Kinney | Lykam |
| Mathis | Nunn | Petersen | Ragan |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 29:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Breitbach | Chapman | Costello |
| Cournoyer | Dawson | Edler | Feenstra |
| Garrett | Greene | Guth | Johnson |
| Kapucian | Koelker | Kraayenbrink | Lofgren |
| Miller-Meeks | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, 1:

Quirmbach

Amendment S–3220 to amendment S–3206 lost.

Senator Feenstra moved the adoption of amendment S–3206.

A record roll call was requested.

On the question “Shall amendment S–3206 be adopted?” (S.F. 634), the vote was:

Yeas, 50:

| | | | |
|-----------|--------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |

Smith, J.
Taylor, T.
Zaun

Smith, R.
Wahls
Zumbach

Sweeney
Whiting

Taylor, R.
Whitver

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senator Zaun took the chair at 6:36 p.m.

President Schneider took the chair at 6:56 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. 634), the vote was:

Yeas, 33:

Behn
Carlin
Dawson
Greene
Koelker
Nunn
Segebart
Sweeney
Zumbach

Bisignano
Chapman
Edler
Guth
Kraayenbrink
Rozenboom
Shipley
Whiting

Breitbach
Costello
Feenstra
Johnson
Lofgren
Schneider
Sinclair
Whitver

Brown
Cournoyer
Garrett
Kapucian
Miller-Meeks
Schultz
Smith, R.
Zaun

Nays, 17:

Bolkcom
Giddens
Lykam
Ragan
Wahls

Boulton
Hogg
Mathis
Smith, J.

Celsi
Jochum
Petersen
Taylor, R.

Dotzler
Kinney
Quirmbach
Taylor, T.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 634** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 7:23 p.m. until 8:30 p.m.

RECONVENED

The Senate reconvened at 8:51 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 24, 2019, **passed** the following bill in which the concurrence of the House was asked:

Senate File 629, a bill for an act relating to permits for vehicles of excessive size and weight, including vehicles transporting raw forest products, and providing for fees.

ALSO: That the House has on April 24, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 760, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging after a certain number of consecutive days.

Read first time and referred to committee on **Ways and Means**.

House File 778, a bill for an act relating to taking a capital gain deduction for the sale of real property used in a farming business.

Read first time and attached to **companion Senate File 627**.

HOUSE AMENDMENT CONSIDERED

Senate File 86

Senator Whitver called up for consideration **Senate File 86**, a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses, amended by the House in House amendment S-3213, filed April 24, 2019.

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. 86), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 86** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 599

Senator Whitver called up for consideration **Senate File 599**, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, including penalties, and providing implementation and effective date provisions, amended by the House in House amendment S-3211, filed April 24, 2019.

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. 599), the vote was:

Yeas, 49:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whitver | Zaun |
| Zumbach | | | |

Nays, 1:

Whiting

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 Whitver asked and received unanimous consent that **Senate File 599** 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 707 and 689.

House File 707

On motion of Senator Garrett, **House File 707**, a bill for an act relating to service of process relating to juvenile delinquency proceedings and termination of the parent-child relationship proceedings, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Garrett offered amendment S-3115, filed by the committee on Judiciary on April 3, 2019, to page 1 of the bill, and moved its adoption.

Amendment S-3115 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. 707), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 689

On motion of Senator Costello, **House File 689**, a bill for an act relating to the removal of county veterans service officers, placed on the Unfinished Business Calendar on April 11, 2019, 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. 689), the vote was:

Yeas, 50:

| | | | |
|-----------|--------------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |

| | | | |
|------------|--------------|-----------|------------|
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 689** and **707** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 23, 2019)

House File 546

The Senate resumed consideration of **House File 546**, 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, deferred April 23, 2019.

Senator Dawson offered amendment S-3180, filed by the committee on Ways and Means on April 17, 2019, to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3180 be adopted?" (H.F. 546), the vote was:

Yeas, 48:

| | | | |
|-----------|-----------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |

| | | | |
|--------------|------------|------------|-----------|
| Giddens | Greene | Guth | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 2:

| | |
|------|-----------|
| Hogg | Quirmbach |
|------|-----------|

Absent, none.

Amendment S-3180 was adopted.

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. 546), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, 2:

| | |
|---------|------|
| Chapman | Zaun |
|---------|------|

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 Whitver asked and received unanimous consent that **House File 546** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:54 p.m. until 9:00 a.m., Thursday, April 25, 2019.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Wednesday, April 24, 2019, 11:15 a.m.

Members Present: Sinclair, Chair; Lofgren, Vice Chair; Bisignano, Ranking Member; Celsi, and Whiting.

Members Absent: None.

Committee Business: HF 764 and SSB 1261.

Adjourned: 11:55 a.m.

RULES AND ADMINISTRATION

Convened: Wednesday, April 24, 2019, 9:05 a.m.

Members Present: Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Whitver, Chair (excused).

Committee Business: SR 29.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: Wednesday, April 24, 2019, 12:40 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: HF 753, HF 741, and HF 767.

Adjourned: 1:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 30, by Nunn, Dawson, R. Taylor, and Zaun, a resolution for congratulating Major General Timothy Orr on his retirement as the Adjutant General of the Iowa National Guard and thanking him for his more than 40 years of military service to his state and nation.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 639, by committee on Government Oversight, a bill for an act relating to lobbying activities by political subdivisions.

Read first time under Rule 28 and **placed on calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: *SENATE FILE 639 (SSB 1261), a bill for an act relating to lobbying activities by political subdivisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 3: Sinclair, Lofgren, and Whiting. Nays, 2: Bisignano and Celsi. 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 Government Oversight Committee on Senate File 639, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 764, a bill for an act relating to publication and procedural provisions relating to proposed constitutional amendments and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 5: Sinclair, Lofgren, Bisignano, Celsi, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 741, a bill for an act relating to the property tax levy for the payment of general obligation bonds issued by cities for certain flood-related purposes and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 753, a bill for an act relating to the assessment of fees when a public defender or designee requests copies of certain documents.

Recommendation: DO PASS.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 767, a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Edler, Quirmbach, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Giddens, Nunn, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

| | | | |
|--------|------|-----|----------------|
| S-3211 | S.F. | 599 | House |
| S-3212 | S.F. | 589 | House |
| S-3213 | S.F. | 86 | House |
| S-3214 | S.F. | 608 | House |
| S-3215 | S.F. | 615 | House |
| S-3216 | S.F. | 616 | House |
| S-3217 | S.F. | 594 | Dan Dawson |
| S-3218 | S.F. | 426 | Jake Chapman |
| S-3219 | H.F. | 224 | Janet Petersen |
| S-3220 | S.F. | 634 | Pam Jochum |
| | | | Claire Celsi |
| | | | Jackie Smith |
| | | | Rich Taylor |
| S-3221 | S.F. | 615 | Robert M. Hogg |
| | | | Todd Taylor |
| S-3222 | S.F. | 625 | Randy Feenstra |
| S-3223 | S.F. | 615 | Robert M. Hogg |
| S-3224 | S.F. | 615 | Robert M. Hogg |
| | | | Todd Taylor |
| S-3225 | S.F. | 592 | House |
| S-3226 | S.F. | 203 | House |

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 25, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was sung by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa; the Honorable Annette Sweeney, member of the Senate from Hardin County, Alden, Iowa; Brooklyn Price; and Alex Zumbach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Piper LaGrange.

The Journal of Wednesday, April 24, 2019, 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 April 24, 2019, **passed** the following bill in which the concurrence of the House was asked:

Senate File 634, a bill for an act relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, modifying provisions relating to the state appraisal manual, and including applicability provisions.

The Senate stood at ease at 9:08 a.m. until the fall of the gavel.

The Senate resumed session at 11:18 a.m., President Schneider presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 306

Senator Whitver called up for consideration **Senate File 306**, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal, amended by the House in House amendment S-3203, filed April 23, 2019.

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. 306), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 228 and 152 and House File 422.

Senate File 228

On motion of Senator Koelker, **Senate File 228**, a bill for an act relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 228), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 152

On motion of Senator Dawson, **Senate File 152**, a bill for an act relating to the definition of vulnerable elder, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Dawson offered amendment S-3227, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3227 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 328** be **substituted** for **Senate File 152**.

House File 328

On motion of Senator Dawson, **House File 328**, a bill for an act relating to the definition of vulnerable elder, 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. 328), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |

| | | | |
|--------------|-----------|------------|------------|
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 152** be **withdrawn** from further consideration of the Senate.

House File 422

On motion of Senator Carlin, **House File 422**, a bill for an act relating to the provision of health care services via telehealth for the civil commitment unit for sexual offenders, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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. 422), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|---------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |

| | | | |
|--------------|-----------|------------|------------|
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 228 and 306 and House Files 328 and 422 be immediately messaged** to the House.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 624 and 627.

Senate File 624

On motion of Senator Feenstra, **Senate File 624**, a bill for an act providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-3228, 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-3228 was adopted by a voice vote.

Senator Feenstra asked and received unanimous consent that **House File 768** be **substituted** for **Senate File 624**.

House File 768

On motion of Senator Feenstra, **House File 768**, a bill for an act providing for a beginning farmer tax credit program, providing for fees, 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?" (H.F. 768), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 624** be **withdrawn** from further consideration of the Senate.

Senate File 627

On motion of Senator Feenstra, **Senate File 627**, a bill for an act relating to taking a capital gain deduction for the sale of real property used in a farming business, was taken up for consideration.

Senator Feenstra asked and received unanimous consent that **House File 778** be **substituted** for **Senate File 627**.

House File 778

On motion of Senator Feenstra, **House File 778**, a bill for an act relating to taking a capital gain deduction for the sale of real property used in a farming business, 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. 778), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 627** 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 485 and 642.

House File 485

On motion of Senator Cournoyer, **House File 485**, a bill for an act concerning state purchasing requirements relating to targeted small business procurement goals, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer 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. 485), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 642

On motion of Senator Johnson, **House File 642**, a bill for an act relating to the release of certain confidential information by the department of human services to multidisciplinary teams and making penalties applicable, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator 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. 642), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 485, 642, 768, and 778** be **immediately messaged** to the House.

RECONVENED

The Senate reconvened at 1:51 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 Petersen and Whitver and President Schneider for their service to the Senate.

A Certificate of Excellence for serving with honor and distinction as a Senate Page during the 2019 Regular Eighty-eighth General Assembly and a gift were presented to each of the following pages:

Jackson Birdwell, Seth Fiala, Kate Hapgood, Piper LaGrange, John Meis, Ami Penquite, Brooklyn Price, Ellie Reece, Samuel Sampson, and Ben Theuma.

The Senate rose and expressed its appreciation.

The Senate stood at ease at 1:56 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:24 p.m., President Schneider presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 589

Senator Whitver called up for consideration **Senate File 589**, a bill for an act relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions, amended by the House in House amendment S-3212, filed April 24, 2019.

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. 589), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Feenstra | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shiple | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Chapman

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 531.

House File 531

On motion of Senator Carlin, **House File 531**, a bill for an act concerning unemployment insurance and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Carlin offered amendment S-3229, filed by him from the floor to pages 1-5 of the bill, and moved its adoption.

Amendment S-3229 was adopted by a voice vote.

Senator Dotzler offered amendment S-3230, filed by him from the floor to pages 3 and 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3230 be adopted?" (H.F. 531), the vote was:

Yeas, 50:

| | | | |
|-----------|--------------|-----------|---------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |

| | | | |
|------------|--------------|-----------|------------|
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

Amendment S-3230 was adopted.

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. 531), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirnbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 502

Senator Whitver called up for consideration **Senate File 502**, a bill for an act relating to disclosures of certain information, including reprisals with respect to employees of a political subdivision of the state and providing information to employees concerning the office of ombudsman, amended by the House in House amendment S-3204, filed April 23, 2019.

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. 502), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

The Senate stood at ease at 4:01 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:33 p.m., President Schneider presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 602.

Senate File 602

On motion of Senator Johnson, **Senate File 602**, a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution, was taken up for consideration.

Senator Johnson asked and received unanimous consent that **House File 596** be **substituted** for **Senate File 602**.

House File 596

On motion of Senator Johnson, **House File 596**, a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution, was taken up for consideration.

Senator 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. 596), the vote was:

Yeas, 50:

| | | | |
|-----------|--------------|-----------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |

Schultz
Smith, J.
Taylor, T.
Zaun

Segebart
Smith, R.
Wahls
Zumbach

Shipley
Sweeney
Whiting

Sinclair
Taylor, R.
Whitver

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 Johnson asked and received unanimous consent that **Senate File 602** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 502** and **589** and **House Files 531** and **596** be **immediately messaged** to the House.

The Senate stood at ease at 4:41 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:01 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 25, 2019, **passed** the following bills in which the concurrence of the House was asked:

Senate File 228, a bill for an act relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

Senate File 337, a bill for an act providing for exceptions to the state child labor law.

Senate File 377, a bill for an act extending immunity from tort liability to certain nonprofit corporations providing emergency response services.

Senate File 632, a bill for an act making appropriations to the department of public health for the gambling treatment program.

ALSO: That the House has on April 25, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 771, A bill for an act relating to the child and dependent care and early childhood development tax credits, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 694.

House File 694

On motion of Senator Chapman, **House File 694**, a bill for an act establishing an emergency medical services personnel licensure interstate compact, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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. 694), the vote was:

Yeas, 50:

Behn
Breitbach
Chapman

Bisignano
Brown
Costello

Bolkcom
Carlin
Cournoyer

Boulton
Celsi
Dawson

| | | | |
|------------|--------------|-----------|------------|
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

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 April 25, 2019, **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 692, a bill for an act relating to the tracking and counting of mailed absentee ballots. (S-3231)

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 694** 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 25, 2019, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 93, a bill for an act relating to abandoned structures and abatement of public nuisances. (S-3232)

Senate File 139, a bill for an act relating to a financial literacy requirement under the state's educational standards. (S-3233)

Senate File 597, a bill for an act exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers, including effective date and retroactive applicability provisions. (S-3234)

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 692

Senator Whitver called up for consideration **House File 692**, a bill for an act relating to the tracking and counting of mailed absentee ballots, amended by the Senate and further amended by the House in House amendment S-3231 to Senate amendment H-1244, filed April 25, 2019.

Senator R. Smith 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 R. Smith 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. 692), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 692** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 93

Senator Whitver called up for consideration **Senate File 93**, a bill for an act relating to abandoned structures and abatement of public nuisances, amended by the House in House amendment S-3232, filed April 25, 2019.

Senator Lofgren 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 Lofgren 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. 93), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirnbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 139

Senator Whitver called up for consideration **Senate File 139**, a bill for an act relating to a financial literacy requirement under the state’s educational standards, amended by the House in House amendment S-3233, filed April 25, 2019.

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 voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 139), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 93 and 139** 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 25, 2019, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 604, a bill for an act relating to commercial fishing to remove underused, undesirable, and injurious organisms from waters of the state, and including applicability provisions.

House File 707, a bill for an act relating to service of process relating to juvenile delinquency proceedings and termination of the parent-child relationship proceedings.

House File 743, a bill for an act requiring that the general assembly provide for the publication of certain material and associated electronic records pertaining to official legal publications.

House File 546, 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.

ALSO: That the House has on April 25, 2019, **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 499, a bill for an act relating to passenger automobiles designed to carry ten or fewer persons when used as school buses. (S-3235)

ALSO: That the House has on April 25, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

House File 769, a bill for an act relating to the gross weight of special trucks, and providing fees.

Read first time and attached to **companion Senate File 637**.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 499

Senator Whitver called up for consideration **House File 499**, a bill for an act relating to passenger automobiles designed to carry ten or fewer persons when used as school buses, amended by the Senate and further amended by the House in House amendment S-3235 to Senate amendment H-1257, filed April 25, 2019.

Senator Breitbach 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 Breitbach 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. 499), the vote was:

Yeas, 50:

| | | | |
|------------|--------------|-----------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | ShIPLEY | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Taylor, T. | Wahls | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, none.

Absent, none.

The 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 499** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:40 p.m. until 7:00 a.m., Friday, April 26, 2019.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Haley Jarrett, Muscatine—For receiving the 2018–2019 Muscatine Community YMCA Outstanding Senior Female Athlete Award. Senator Lofgren.

John Reekers—For reaching the rank of Eagle Scout, Troop #46. Senator Kapucian.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Thursday, April 25, 2019, 1:05 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Chapman (excused).

Committee Business: SF 131, amendment SF 131.2438,

Adjourned: 1:10 p.m.

INTRODUCTION OF BILL

Senate File 640, by committee on Ways and Means, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 742

APPROPRIATIONS: Breitbach, Chair; Bolkcom and Shipley

House File 760

WAYS AND MEANS: Dawson, Chair; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Feenstra, Giddens, Jochum, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls

FINAL COMMITTEE REPORT OF BILL ACTION**WAYS AND MEANS**

Bill Title: *SENATE FILE 640 (formerly SF 131), a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Dotzler, Edler, Giddens, Nunn, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls. 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 Ways and Means Committee on Senate File 640, and they were attached to the committee report.

BILLS ATTACHED

Senate File 640 was attached to **similar House File 760**.

AMENDMENTS FILED

| | | | |
|--------|------|-----|-------------------------|
| S-3227 | S.F. | 152 | Dan Dawson |
| S-3228 | S.F. | 624 | Randy Feenstra |
| S-3229 | H.F. | 531 | Jim Carlin |
| S-3230 | H.F. | 531 | William A. Dotzler, Jr. |
| S-3231 | H.F. | 692 | House |
| S-3232 | S.F. | 93 | House |
| S-3233 | S.F. | 139 | House |
| S-3234 | S.F. | 597 | House |
| S-3235 | H.F. | 499 | House |
| S-3236 | H.F. | 759 | Dennis Guth |
| S-3237 | S.F. | 638 | Michael Breitbach |

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 26, 2019

The Senate met in regular session at 7:05 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 Seth Fiala.

The Journal of Thursday, April 25, 2019, was approved.

The Senate stood at ease at 7:07 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:25 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 759.

House File 759

On motion of Senator Guth, **House File 759**, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Guth deferred amendment S-3173, filed by the committee on Appropriations on April 17, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Guth offered amendment S-3236, filed by him on April 25, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Celsi offered amendment S-3241, filed by her from the floor to page 17 of amendment S-3236.

Senator Bisignano asked and received unanimous consent that action on amendment S-3241 to amendment S-3236, amendment S-3236, and **House File 759** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Feenstra, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 638.

Senate File 638

On motion of Senator Breitbach, **Senate File 638**, 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 including effective date provisions, was taken up for consideration.

Senator Breitbach offered amendment S-3237, filed by him on April 25, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Hogg offered amendment S-3243, filed by Senators Hogg and J. Smith from the floor to page 11 of amendment S-3237, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3243 to amendment S–3237 be adopted?” (S.F. 638), the vote was:

Yeas, 20:

| | | | |
|-----------|------------|------------|---------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dawson | Dotzler | Giddens | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Shipley |
| Smith, J. | Taylor, R. | Taylor, T. | Wahls |

Nays, 29:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Edler |
| Garrett | Greene | Guth | Johnson |
| Kapucian | Koelker | Kraayenbrink | Lofgren |
| Miller-Meeks | Nunn | Rozenboom | Schneider |
| Schultz | Segebart | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Absent, 1:

Feenstra

Amendment S–3243 to amendment S–3237 lost.

Senator Segebart offered amendment S–3244, filed by him from the floor to page 19 of amendment S–3237.

Senator Breitbach raised the point of order that amendment S–3244 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3244 out of order.

Senator Breitbach moved the adoption of amendment S–3237.

Amendment S–3237 was adopted by a voice vote.

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. 638), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Absent, 1:

Feenstra

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 638** 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 25, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

House File 339, a bill for an act relating to programs administered by the economic development authority, including tax credits for equity investments in qualifying businesses or innovation funds, tax incentives for eligible businesses in rural communities, and including effective date provisions.

Read first time and attached to **similar Senate File 598**.

House File 779, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the administration and modification of certain tax credits and refunds, the individual and corporate income taxes, franchise taxes, moneys and credits taxes, sales and use taxes, and automobile rental excise taxes, the assessment of property owned by certain long distance telephone companies, establishing a taxation and exemption of computers task force, extending the utility replacement task force, and providing for other properly related matters, making penalties applicable, and including effective date and retroactive applicability provisions.

Read first time and attached to **similar Senate File 631**.

BUSINESS PENDING

House File 759

The Senate resumed consideration of **House File 759**, 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 amendment S-3241 to amendment S-3236 and amendment S-3236, previously deferred.

Senator Guth raised the point of order that amendment S-3241 to amendment S-3236 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3241 in order.

Senator Celsi moved the adoption of amendment S-3241 to amendment S-3236.

A record roll call was requested.

On the question “Shall amendment S–3241 to amendment S–3236 be adopted?” (H.F. 759), the vote was:

Yeas, 18:

| | | | |
|------------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Lykam | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Taylor, T. | Wahls | | |

Nays, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Absent, 1:

Feenstra

Amendment S–3241 to amendment S–3236 lost.

Senator Whiting offered amendment S–3242, filed by him from the floor to page 21 of amendment S–3236.

Senator Celsi raised the point of order that amendment S–3242 to amendment S–3236 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3242 out of order.

Senator Guth moved the adoption of amendment S–3236.

Amendment S–3236 was adopted by a voice vote.

With the adoption of amendment S–3236, the Chair ruled amendment S–3173 out of order.

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. 759), the vote was:

Yeas, 34:

| | | | |
|--------------|-----------|--------------|-----------|
| Behn | Bisignano | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Edler | Garrett |
| Greene | Guth | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Miller-Meeks | Nunn | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, R. | Sweeney | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 15:

| | | | |
|------------|------------|---------|-----------|
| Bolkcom | Celsi | Dotzler | Giddens |
| Hogg | Jochum | Lykam | Mathis |
| Petersen | Quirmbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Absent, 1:

Feenstra

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 759** be **immediately messaged** to the House.

The Senate stood at ease at 9:24 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:17 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 595.

House File 595

On motion of Senator Kraayenbrink, **House File 595**, a bill for an act related to allowable annual salaries for deputy county auditors in charge of elections administration, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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. 595), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

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 633 and 637.

Senate File 633

On motion of Senator Behn, **Senate File 633**, a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions, was taken up for consideration.

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. 633), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 637

On motion of Senator Behn, **Senate File 637**, a bill for an act relating to the gross weight of special trucks, and providing fees, was taken up for consideration.

Senator Behn asked and received unanimous consent that **House File 769** be substituted for **Senate File 637**.

House File 769

On motion of Senator Behn, **House File 769**, a bill for an act relating to the gross weight of special trucks, and providing fees, was taken up for consideration.

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?" (H.F. 769), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Behn asked and received unanimous consent that **Senate File 637** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 633** and **House Files 595 and 769** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 640 and House File 741.

Senate File 640

On motion of Senator Dawson, **Senate File 640**, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging, was taken up for consideration.

Senator Dawson offered amendment S-3239, 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-3239 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 760** be **substituted** for **Senate File 640**.

House File 760

On motion of Senator Dawson, **House File 760**, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging, was taken up for consideration.

Senator Dawson offered amendment S-3238, 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-3238 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. 760), the vote was:

Yeas, 48:

| | | | |
|-----------|------------|------------|--------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Costello | Cournoyer | Dawson | Dotzler |
| Edler | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Lykam | Mathis | Miller-Meeks |
| Nunn | Petersen | Quirnbach | Ragan |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, J. | Smith, R. |
| Sweeney | Taylor, R. | Taylor, T. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 1:

Chapman

Absent, 1:

Feenstra

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 640** be **withdrawn** from further consideration of the Senate.

House File 741

On motion of Senator Dawson, **House File 741**, a bill for an act relating to the property tax levy for the payment of general obligation bonds issued by cities for certain flood-related purposes and including applicability provisions, with report of committee recommending passage, 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. 741), the vote was:

Yeas, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

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 741 and 760** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Mark Schuling as Consumer Advocate, placed on the Individual Confirmation Calendar on April 4, 2019, found on page 864 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, 49:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

The Senate stood at ease at 10:49 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:03 a.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he returns, on request of Senator Whitver.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 463.

Senate File 463

On motion of Senator Sweeney, **Senate File 463**, a bill for an act relating to landlord remedies and procedures relating to failure to timely pay rent and forcible entry and detainer, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Sweeney offered amendment S-3156, filed by her on April 11, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3156 was adopted by a voice vote.

Senator Sweeney asked and received unanimous consent that **House File 638** be **substituted** for **Senate File 463**.

House File 638

On motion of Senator Sweeney, **House File 638**, a bill for an act relating to landlord remedies and procedures relating to failure to timely pay rent and forcible entry and detainer, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Sweeney offered amendment S-3245, filed by her 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-3245 was adopted by a voice vote.

With the adoption of amendment S-3245, the Chair ruled amendment S-3157, filed by Senator Sweeney on April 11, 2019, to page 1 of the bill, out of order.

Senator Sweeney 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. 638), the vote was:

Yeas, 48:

| | | | |
|--------------|-----------|------------|------------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbach | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Garrett | Giddens |
| Greene | Guth | Hogg | Jochum |
| Johnson | Kapucian | Kinney | Koelker |
| Kraayenbrink | Lofgren | Lykam | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Taylor, T. |
| Wahls | Whiting | Whitver | Zumbach |

Nays, none.

Absent, 2:

| | |
|----------|------|
| Feenstra | Zaun |
|----------|------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Sweeney asked and received unanimous consent that **Senate File 463** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 638** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:09 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 2:15 p.m., President Schneider presiding.

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 April 26, 2019, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 759, 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.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 766.

House File 766

On motion of Senator Costello, **House File 766**, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Costello offered amendment S-3201, filed by the committee on Appropriations on April 22, 2019, striking and replacing everything after the enacting clause of the bill.

Senator Costello offered amendment S-3247, filed by him from the floor to pages 1-88 of amendment S-3201, and moved its adoption.

Amendment S-3247 to amendment S-3201 was adopted by a voice vote.

With the adoption of amendment S-3247 to amendment S-3201, the Chair ruled the following amendments out of order:

S-3248, filed by Senator Petersen from the floor to page 32 of amendment S-3201;

S-3249, filed by Senators Mathis and Ragan from the floor to page 32 of amendment S-3201;

S-3253, filed by Senator Ragan from the floor to pages 32 and 58 of amendment S-3201;

S-3251, filed by Senator Bolkcom from the floor to page 32 of amendment S-3201;

S-3255, filed by Senator Boulton from the floor to pages 51 and 88 of amendment S-3201;

S-3254, filed by Senator Mathis from the floor to page 88 of amendment S-3201;

S-3252, filed by Senator Bolkcom from the floor to page 88 of amendment S-3201;

S-3250, filed by Senators Mathis and Ragan from the floor to page 88 of amendment S-3201;

S-3257, filed by Senator Jochum, et al., from the floor to page 88 of amendment S-3201;

S-3258, filed by Senator Jochum, et al., from the floor to page 88 of amendment S-3201; and

S-3259, filed by Senator Ragan, et al., from the floor to pages 26 and 53 of amendment S-3201.

Senator Costello moved the adoption of amendment S-3201, as amended.

Amendment S-3201, as amended, was adopted by a voice vote.

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. 766), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 19:

| | | | |
|------------|------------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Greene | Hogg |
| Jochum | Kinney | Lykam | Mathis |
| Petersen | Quirnbach | Ragan | Smith, J. |
| Taylor, R. | Taylor, T. | Wahls | |

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 766** 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 26, 2019, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 603, a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions. (S-3260)

ALSO: That the House has on April 26, 2019, **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 760, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging after a certain number of consecutive days. (S-3261)

The Senate stood at ease at 4:50 p.m. until the fall of the gavel.

The Senate resumed session at 5:57 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lykam and T. Taylor, until they return, on request of Senator Petersen.

HOUSE AMENDMENT CONSIDERED

Senate File 603

Senator Whitver called up for consideration **Senate File 603**, a bill for an act authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions, amended by the House in House amendment S-3260, filed April 26, 2019.

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. 603), the vote was:

Yeas, 48:

| | | | |
|--------------|--------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirnbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Lykam

Taylor, T.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 609.

House File 609

On motion of Senator Sinclair, **House File 609**, a bill for an act to legalize the participation in the instructional support program by the Bennett community school district, and providing an effective date, 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. 609), the vote was:

Yeas, 48:

| | | | |
|--------------|--------------|------------|-----------|
| Behn | Bisignano | Bolkcom | Boulton |
| Breitbart | Brown | Carlin | Celsi |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Lykam

Taylor, T.

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 603** and **House File 609** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 597

Senator Whitver called up for consideration **Senate File 597**, a bill for an act exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers, including effective date and retroactive applicability provisions, amended by the House in House amendment S-3234, filed April 25, 2019.

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. 597), the vote was:

Yeas, 48:

Behn
Breitbach
Chapman
Dotzler

Bisignano
Brown
Costello
Edler

Bolkcom
Carlin
Cournoyer
Feenstra

Boulton
Celsi
Dawson
Garrett

| | | | |
|--------------|--------------|------------|-----------|
| Giddens | Greene | Guth | Hogg |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Mathis |
| Miller-Meeks | Nunn | Petersen | Quirmbach |
| Ragan | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, R. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, none.

Absent, 2:

Lykam Taylor, T.

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 597** be **immediately messaged** to the House.

The Senate stood at ease at 6:11 p.m. until the fall of the gavel.

The Senate resumed session at 6:33 p.m., President Schneider presiding.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:33 p.m. until 9:00 a.m., Saturday, April 27, 2019.

APPENDIX

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Friday, April 26, 2019, 11:15 a.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirmbach, Ranking Member; Behn, Celsi, Edler, Giddens, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, and Wahls.

Members Absent: Zaun (excused).

Committee Business: HF 609.

Adjourned: 11:20 a.m.

SUBCOMMITTEE ASSIGNMENT

House File 771

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

FINAL COMMITTEE REPORT OF BILL ACTION

EDUCATION

Bill Title: HOUSE FILE 609, a bill for an act to legalize the participation in the instructional support program by the Bennett community school district, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Giddens, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, and Wahls. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

| | | | |
|--------|------|-----|--------------------------------|
| S-3238 | H.F. | 760 | Dan Dawson |
| S-3239 | S.F. | 640 | Dan Dawson |
| S-3240 | H.F. | 767 | Robert M. Hogg |
| S-3241 | H.F. | 759 | Claire Celsi |
| S-3242 | H.F. | 759 | Zach Whiting |
| S-3243 | S.F. | 638 | Robert M. Hogg Jackie Smith |
| S-3244 | S.F. | 638 | Mark Segebart |
| S-3245 | H.F. | 638 | Annette Sweeney |
| S-3246 | S.F. | 338 | Zach Nunn |
| S-3247 | H.F. | 766 | Mark Costello |
| S-3248 | H.F. | 766 | Janet Petersen |
| S-3249 | H.F. | 766 | Liz Mathis Amanda Ragan |
| S-3250 | H.F. | 766 | Liz Mathis Amanda Ragan |
| S-3251 | H.F. | 766 | Joe Bolckcom |

| | | | |
|--------|------|-----|-------------------------|
| S-3252 | H.F. | 766 | Joe Bolkcom |
| S-3253 | H.F. | 766 | Amanda Ragan |
| S-3254 | H.F. | 766 | Liz Mathis |
| S-3255 | H.F. | 766 | Nate Boulton |
| S-3256 | S.F. | 631 | Randy Feenstra |
| S-3257 | H.F. | 766 | Pam Jochum |
| | | | Tony Bisignano |
| | | | Joe Bolkcom |
| | | | Nate Boulton |
| | | | Claire Celsi |
| | | | William A. Dotzler, Jr. |
| | | | Eric Giddens |
| | | | Robert M. Hogg |
| | | | Kevin Kinney |
| | | | Jim Lykam |
| | | | Liz Mathis |
| | | | Janet Petersen |
| | | | Herman C. Quirmbach |
| | | | Amanda Ragan |
| | | | Jackie Smith |
| | | | Rich Taylor |
| | | | Todd Taylor |
| | | | Zach Wahls |
| S-3258 | H.F. | 766 | Amanda Ragan |
| | | | Tony Bisignano |
| | | | Joe Bolkcom |
| | | | Nate Boulton |
| | | | Claire Celsi |
| | | | William A. Dotzler, Jr. |
| | | | Eric Giddens |
| | | | Robert M. Hogg |
| | | | Pam Jochum |
| | | | Kevin Kinney |
| | | | Jim Lykam |
| | | | Liz Mathis |
| | | | Janet Petersen |
| | | | Herman C. Quirmbach |
| | | | Jackie Smith |
| | | | Rich Taylor |
| | | | Todd Taylor |
| | | | Zach Wahls |

| | | | |
|--------|------|-----|--|
| S-3259 | H.F. | 766 | Amanda Ragan Tony Bisignano Joe Bolkcom Nate Boulton Claire Celsi William A. Dotzler, Jr. Eric Giddens Robert M. Hogg Pam Jochum Kevin Kinney Jim Lykam Liz Mathis Janet Petersen Herman C. Quirmbach Jackie Smith Rich Taylor Todd Taylor Zach Wahls |
| S-3260 | S.F. | 603 | House |
| S-3261 | H.F. | 760 | House |

JOURNAL OF THE SENATE

ONE HUNDRED FOURTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Saturday, April 27, 2019

The Senate met in regular session at 10:09 a.m., President Schneider presiding.

Prayer was offered by the Honorable Tim Kraayenbrink, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ben Theuma.

The Journal of Friday, April 26, 2019, was approved.

The Senate stood at ease at 10:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:46 a.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 April 27, 2019, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 638, 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 including effective date, applicability, and retroactive applicability provisions. (S-3262)

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lykam and T. Taylor, until they arrive, on request of Senator Petersen.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 764.

House File 764

On motion of Senator Whiting, **House File 764**, a bill for an act relating to publication and procedural provisions relating to proposed constitutional amendments and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Whiting 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. 764), the vote was:

Yeas, 40:

| | | | |
|-----------|--------------|------------|--------------|
| Behn | Bisignano | Boulton | Breitbach |
| Brown | Carlin | Celsi | Chapman |
| Costello | Cournoyer | Dawson | Edler |
| Feenstra | Garrett | Greene | Guth |
| Jochum | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, R. | Sweeney | Taylor, R. | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 8:

Bolkcom
Mathis

Dotzler
Petersen

Giddens
Quirmbach

Hogg
Smith, J.

Absent, 2:

Lykam

Taylor, T.

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 764** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 767 and Senate File 631.

House File 767

On motion of Senator Kapucian, **House File 767**, a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hogg offered amendment S-3240, filed by him on April 26, 2019, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3240 be adopted?" (H.F. 767), the vote was:

Yeas, 16:

| | | | |
|-----------|-----------|------------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Wahls |

Nays, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Absent, 2:

Lykam Taylor, T.

Amendment S-3240 lost.

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. 767), the vote was:

Yeas, 34:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Kinney |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Quirmbach | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, R. | Sweeney | Whiting | Whitver |
| Zaun | Zumbach | | |

Nays, 14:

| | | | |
|------------|----------|---------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Mathis | Petersen | Ragan | Smith, J. |
| Taylor, R. | Wahls | | |

Absent, 2:

Lykam Taylor, T.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 631

On motion of Senator Feenstra, **Senate File 631**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the administration and modification of certain tax credits and refunds, the individual and corporate income taxes, franchise taxes, franchise alternative minimum taxes, moneys and credits taxes, sales and use taxes, and automobile rental excise taxes, the assessment of property owned by certain long distance telephone companies, establishing a taxation and exemption of computers task force, and providing for other properly related matters, making penalties applicable, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-3256, filed by him on April 26, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3256 was adopted by a voice vote.

Senator Feenstra asked and received unanimous consent that **House File 779** be substituted for **Senate File 631**.

House File 779

On motion of Senator Feenstra, **House File 779**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the administration and modification of certain tax credits and refunds, the individual and corporate income taxes, franchise taxes, franchise alternative minimum taxes, moneys and credits taxes, sales and use taxes, and automobile rental excise taxes, the assessment of property owned by certain long distance telephone companies, establishing a taxation and exemption of computers task force, and providing for other properly related matters, making penalties applicable, 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?” (H.F. 779), the vote was:

Yeas, 44:

| | | | |
|-----------|-----------|--------------|--------------|
| Behn | Bisignano | Boulton | Breitbach |
| Brown | Carlin | Chapman | Costello |
| Cournoyer | Dawson | Dotzler | Edler |
| Feenstra | Garrett | Giddens | Greene |
| Guth | Hogg | Jochum | Johnson |
| Kapucian | Kinney | Koelker | Kraayenbrink |
| Lofgren | Mathis | Miller-Meeks | Nunn |
| Petersen | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Wahls |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 4:

| | | | |
|---------|-------|-----------|------------|
| Bolkcom | Celsi | Quirmbach | Taylor, R. |
|---------|-------|-----------|------------|

Absent, 2:

| | |
|-------|------------|
| Lykam | Taylor, T. |
|-------|------------|

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 631** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 767** and **779** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 338 and House File 732.

Senate File 338

On motion of Senator Nunn, **Senate File 338**, a bill for an act relating to the transfer of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Nunn offered amendment S-3246, filed by him on April 26, 2019, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3246 was adopted by a voice vote.

Senator Nunn asked and received unanimous consent that **House File 421** be **substituted** for **Senate File 338**.

House File 421

On motion of Senator Nunn, **House File 421**, a bill for an act relating to the transfer of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center, was taken up for consideration.

Senator Nunn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 421), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Edler |
| Feenstra | Garrett | Greene | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 16:

| | | | |
|-----------|-----------|------------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Wahls |

Absent, 3:

| | | |
|--------|-------|------------|
| Dawson | Lykam | Taylor, T. |
|--------|-------|------------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Nunn asked and received unanimous consent that **Senate File 338** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Zaun asked and received unanimous consent to take up for consideration House File 732.

House File 732

On motion of Senator Zaun, **House File 732**, a bill for an act relating to the medical cannabidiol Act, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Zaun offered amendment S-3124, filed by the committee on Judiciary on April 4, 2019, to page 1 of the bill, and moved its adoption.

Amendment S-3124 lost by a voice vote.

Senator Sinclair took the chair at 1:39 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?" (H.F. 732), the vote was:

Yeas, 40:

| | | | |
|-----------|--------------|--------------|------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Celsi | Chapman | Cournoyer | Dotzler |
| Edler | Giddens | Greene | Guth |
| Hogg | Jochum | Johnson | Kapucian |
| Kinney | Koelker | Kraayenbrink | Lofgren |
| Mathis | Miller-Meeks | Nunn | Petersen |
| Quirmbach | Ragan | Rozenboom | Schneider |
| Schultz | Segebart | Shipley | Sinclair |
| Smith, J. | Smith, R. | Sweeney | Taylor, R. |
| Wahls | Whitver | Zaun | Zumbach |

Nays, 7:

| | | | |
|----------|-----------|---------|----------|
| Behn | Breitbach | Carlin | Costello |
| Feenstra | Garrett | Whiting | |

Absent, 3:

| | | |
|--------|-------|------------|
| Dawson | Lykam | Taylor, T. |
|--------|-------|------------|

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 421 and 732** 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 April 27, 2019, **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 766, 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-3263)

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED**House File 766**

Senator Whitver called up for consideration **House File 766**, 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 Senate and further amended by the House in House amendment S-3263 to Senate amendment H-1322, filed April 27, 2019.

Senator Costello 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 Costello 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.

President Schneider took the chair at 2:01 p.m.

On the question "Shall the bill pass?" (H.F. 766), the vote was:

Yeas, 31:

| | | | |
|-----------|--------------|-----------|--------------|
| Behn | Breitbart | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Guth |
| Johnson | Kapucian | Koelker | Kraayenbrink |
| Lofgren | Miller-Meeks | Nunn | Rozenboom |
| Schneider | Schultz | Segebart | Shipley |
| Sinclair | Smith, R. | Sweeney | Whiting |
| Whitver | Zaun | Zumbach | |

Nays, 17:

| | | | |
|-----------|---------|-----------|------------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Greene | Hogg |
| Jochum | Kinney | Mathis | Petersen |
| Quirmbach | Ragan | Smith, J. | Taylor, R. |
| Wahls | | | |

Absent, 2:

| | |
|-------|------------|
| Lykam | Taylor, T. |
|-------|------------|

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 766** be **immediately messaged** to the House.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

House File 760

Senator Whitver called up for consideration **House File 760**, a bill for an act relating to the exemption from the hotel and motel taxes for the renting of lodging after a certain number of consecutive days, amended by the Senate and further amended by the House in House amendment S-3261 to Senate amendment H-1316, filed April 26, 2019.

Senator Dawson moved that the Senate refuse to concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 760** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 638

Senator Whitver called up for consideration **Senate File 638**, 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 including effective date, applicability, and retroactive applicability provisions, amended by the House in House amendment S-3262, filed April 27, 2019.

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. 638), the vote was:

Yeas, 33:

| | | | |
|----------|--------------|-----------|--------------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Dotzler | Edler | Feenstra | Garrett |
| Greene | Guth | Johnson | Kapucian |
| Koelker | Kraayenbrink | Lofgren | Miller-Meeks |
| Nunn | Rozenboom | Schneider | Schultz |
| Segebart | Shipley | Sinclair | Smith, R. |
| Sweeney | Whiting | Whitver | Zaun |
| Zumbach | | | |

Nays, 15:

| | | | |
|-----------|------------|-----------|--------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Giddens | Hogg | Jochum | Kinney |
| Mathis | Petersen | Quirmbach | Ragan |
| Smith, J. | Taylor, R. | Wahls | |

Absent, 2:

| | |
|-------|------------|
| Lykam | Taylor, T. |
|-------|------------|

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. 638), the vote was:

Yeas, 32:

| | | | |
|--------------|-----------|--------------|----------|
| Behn | Breitbach | Brown | Carlin |
| Chapman | Costello | Cournoyer | Dawson |
| Edler | Feenstra | Garrett | Greene |
| Guth | Johnson | Kapucian | Koelker |
| Kraayenbrink | Lofgren | Miller-Meeks | Nunn |
| Rozenboom | Schneider | Schultz | Segebart |
| Shipley | Sinclair | Smith, R. | Sweeney |
| Whiting | Whitver | Zaun | Zumbach |

Nays, 16:

| | | | |
|-----------|-----------|------------|-----------|
| Bisignano | Bolkcom | Boulton | Celsi |
| Dotzler | Giddens | Hogg | Jochum |
| Kinney | Mathis | Petersen | Quirmbach |
| Ragan | Smith, J. | Taylor, R. | Wahls |

Absent, 2:

Lykam Taylor, T.

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 638** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 2:22 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 2:23 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 April 27, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 14, a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 14.

House Concurrent Resolution 14

On motion of Senator Whitver, **House Concurrent Resolution 14**, A concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 14, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Concurrent Resolution 14** be **immediately messaged** to the House.

FINAL ADJOURNMENT

By virtue of House Concurrent Resolution 14, duly adopted, the day of April 27, 2019, having arrived, President Schneider declared the 2019 Regular Session of the Eighty-eighth General Assembly adjourned sine die.

APPENDIX

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Saturday, April 27, 2019, 2:20 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Bolkcom, Chapman, Feenstra, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: None.

Committee Business: HCR 14.

Adjourned: 2:25 p.m.

AMENDMENTS FILED

| | | | |
|--------|------|-----|-------|
| S-3262 | S.F. | 638 | House |
| S-3263 | H.F. | 766 | House |

REMARKS BY THE MAJORITY LEADER

Senator Whitver provided the following remarks:

Mister President, Senator Petersen and colleagues in the Senate,

I will start by expressing my gratitude to the staff and senators in this building for all the work they have done this session. It is a privilege to lead such a dynamic and unified caucus. Every day I have the distinct honor of being a part of a caucus full of leaders with bold, fresh ideas for our state. Even with all our differences, our caucus remains committed to each other as a team.

It is hard to believe the 2019 session is drawing to a close. Just 103 short days ago, I asked you all to keep in mind the reason you ran for office. I ran for office to make our state and country a better place for my kids and our family—a place where they can grow up, go to school, succeed in a career they enjoy and spend a lifetime in a place we all love and are proud to call home...Iowa.

When we began the 2019 Legislative Session I urged my colleagues in this body to be bold, challenge the status quo and enact meaningful policies that serve as a roadmap for the next generation to flourish for decades to come. I urged us to maintain the reform-minded perspective of the first two years in the majority. Together we set an agenda to strengthen and grow our economy, while allowing Iowans to keep more of their hard-earned money.

To implement that agenda, we did not want to just make small changes to a couple lines in an Iowa Code book; instead, we focused on generational changes to bring more prosperity, growth and opportunity to our state.

These policies are already yielding an abundance of positive results. We rank as one of the top states for jobs, high school graduation and concurrent enrollment. Our unemployment rate is among the lowest in the country. Last year, Iowa was rated the Number One state in America by US News and World Report. Achieving that top ranking is not easy—but staying there is even more challenging.

This year, we provided an additional \$89 million in sustainable funding for our K-12 schools, and extended the sales tax dedicated to help support their infrastructure costs. We passed four welfare reform bills to make those programs run more effectively and efficiently. These bills help ensure assistance is only for those truly in need, encourages people to join the workforce, and could save taxpayers millions of dollars. We passed a bill to protect Iowa businesses and workers, and promote better hiring practices through the use of E-Verify. We created a children's mental health system in our state. We passed legislation to allow our state's farmers to grow another crop and another to level the playing field for utility customers. We passed a bill to protect Iowa's agriculture industry, and a bill to protect the First Amendment rights of students at our public universities.

We proposed a budget that was conservative, responsible and sustainable. It funded the necessities of our state, like education and public safety, and provided the state a cushion to respond to the massive flooding in western Iowa. Responsible budgeting always has been important to this caucus, just as it is important to every hard-working person in our state.

One of the number one concerns we heard when talking with Iowans over the last couple years was property taxes. And, they have reason to be concerned. Property tax collections have more than doubled in the last 18 years. These increases exceed more than \$3 billion across Iowa. Meanwhile, during that same time frame, Iowans incomes have risen only 43 percent.

After passing income tax relief for Iowa's hard-working families during the last Legislative Session, this year we passed property tax reform, to control increases for those who have seen their assessments rise year after year, improve transparency, and hold public officials accountable for any increase in property taxes.

Our work doesn't stop when we leave this building. There are many issues we can work on next year and continue to forge a path to help grow our economy, retain young graduates and attract new Iowans to call our state home.

I want to extend a heartfelt thank you to all my colleagues on both sides of the aisle for another outstanding session and for all the work we accomplished. Thank you for the thoughtful debate and discussion and the work you do on behalf of your constituents and our great state. We made a lot of progress this year for Iowa and Iowans, and I look forward to working with all of you next January as we continue this journey toward long-term prosperity.

REMARKS BY THE PRESIDENT OF THE SENATE

President Schneider provided the following remarks:

Senators, guests and fellow Iowans:

I would first like to say it was a great honor to serve again as President of the Senate. I appreciate the trust my colleagues placed in me. I returned it by always doing my best to fulfill the responsibilities of the role to which you elected me.

My goal this session, and every session since I was elected to the Senate, was to make Iowa the best state in the country to live, work, and raise a family. I believe we made progress toward this goal during the 2019 legislative session.

I am proud of the work we did to bring transparency and accountability to the process by which property taxes are determined.

Many Iowans felt their property tax burden getting worse, but could not explain why it was happening. Our convoluted property tax system made it difficult for property owners to hold the right people accountable.

We believe the key to holding down property taxes is to bring more accountability to local budgeting processes. The bill passed by the Legislature will hold down budget expansions in cities and counties that had been on autopilot thanks to rising valuations, while allowing local leaders in growing communities to provide critical services to their constituents.

As a result, Iowans should expect to see the amount they pay in property taxes more closely align to local government budgets than their property valuations. This bill will remove what amounts to a government-imposed penalty on an appreciating asset regardless of the taxpayer's ability to pay.

The property tax reform bill will shine a spotlight on city and county budget processes, while still allowing local government officials to make choices that make sense for their communities. As a former West Des Moines City Council member and a Senator who represents some of the fastest growing communities in our state, I understand these local leaders need the flexibility to grow their physical infrastructure and staff resources to keep up with their changing jurisdictions. I am proud this bill will allow well-managed, fast-growing cities, like those in my Senate district, to continue to make smart choices for their futures.

While many outside this chamber focus on the issues that divide us, I am proud the Senate was able to come together on a number of key issues facing our state.

For me, the children's mental health bill we passed this session will be a legacy item. This bill demonstrates that the Legislature understands there is a children's mental health crisis in our state. Unfortunately, this problem is not specific to our state. But, I believe the provisions in the children's mental health bill position our state to be a leader on this issue. I hope the solutions that result from this legislation will be a model for other states to follow.

I am also proud of the lower-profile issues the Senate came together this year to address. Every session, Iowans from around the state petition their government to resolve issues in their day-to-day life. Though many of these issues do not make the front page of the newspapers, they are important to people in our state and I am proud of our work on them.

While we made important progress this session on a number of key issues, there is still work for us left to do during this General Assembly.

Businesses throughout the state are still experiencing a serious skilled worker shortage. We hear this shortage is already stifling economic growth in our state. While I am proud we supported the governor's Future Ready Iowa initiative this session, there is still more work to do.

There also continues to be too many barriers to success in our state. Unnecessary occupational licensing requirements threaten to limit opportunities for Iowans to pursue their dreams. Iowa has one of the most heavily licensed workforces in the country. States like Arizona have made important strides to rebalance protecting the public with reducing barriers to economic opportunity. I believe policymakers in Iowa should have a serious conversation next session about this issue.

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 MINORITY LEADER

Senator Petersen provided the following remarks:

Thank you, Mr. President.

As we wind down the 2019 Legislative session, I want to thank my Democratic colleagues for the honor of serving as your Leader. It is an honor leading a team of senators who care deeply about our state and the Iowans we serve.

I want to give a special "thank you" to the new members of our caucus: Senators Claire Celsi, Eric Giddens, Jackie Smith, Todd Taylor and Zach Wahls. They have all brought new enthusiasm and ideas to the Iowa Senate and we're all grateful for their service.

Thank you to our dedicated caucus staff and leadership team who put in countless hours and have their fingerprints on every piece of legislation that runs through this chamber. We are fortunate to have such smart, caring and talented people working for us, and more importantly, working for Iowans. A special thanks to the Republican caucus staff and leadership team as well.

Thank you to the Secretary of the Senate, your staff, and the Senate pages who keep this chamber running smoothly.

Thank you to everyone at the Legislative Services Agency, to our joint legislative employees, and the Legislative Ombudsman's Office for your putting your gifts to work on behalf of Iowans.

Let's give them all a round of applause!

Mr. President, Mr. Majority Leader, Senate colleagues, and to all the Iowans we serve: On the opening day of the 2019 Legislative Session, I talked about how the Iowa Senate has called this chamber home for more than 130 years.

The laws and budgets we pass or don't pass have the ability to impact the lives of every Generation living in our state today – and Generations who will be sitting in our chairs long after we are gone.

This session we did some good things for the people of this state.

One of the most significant pieces of legislation we passed was the guardianship bill, a cause championed by Josie Gitler of Iowa City and so many others who worked with her. That bill will help protect hundreds of lives.

We passed the Iowa CARE Act, and established a governance structure for a children's mental health system in our state.

We finally passed a bill opening the door to hemp production in Iowa.

There were missed opportunities as well.

Once again, we saw Republicans "fixing" things that weren't broken instead of fixing things that are broken...

Iowans want strong public schools. Instead of fully funding our public schools, we saw Republicans push for private school vouchers that would take resources away from thousands of Iowa's children.

Iowans want legislators to work on initiatives to prevent crime; deal with substance abuse and mental health problems; make our neighborhoods, workplaces and schools safer; and reduce racial disparities in our criminal system. Instead of tackling many of those issues, we saw a bill to completely revamp Iowa's highly respected judicial nominating system to **politicize Iowa's courts**.

Iowans are innovative and making great strides in **solar, wind and other renewable** energy areas. Instead of supporting those efforts, Senate Republicans passed a bill that would give government-supported monopolies the power to squelch Iowa's growing solar industry. They also put further restrictions on energy efficiency programs for homes and businesses. Democrats believe we should be working together on renewable energy policies that help our entire state thrive.

Instead of focusing on health prevention and wellness efforts, our state is still reeling from the Governor's privatized Medicaid mess that has gone on for more than three years. More than 425,000 Iowans and hundreds of health care providers will soon find themselves navigating through a web of red tape of yet another for-profit Managed Care Organization. Democrats believe health care dollars should be going to health care, not helping out-of-state, for-profit companies with their bottom line.

Democrats pushed for automatic voter registration and improved cyber security oversight for elections. Instead of expanding voter rights in Iowa, we saw Senator Roby Smith and his Republican colleagues push for more voter suppression legislation that would have made it harder to vote for Iowa college kids, veterans, and those who don't work a 9 to 5 job.

Speaking of elections, it's a real shame that Senate Republicans dropped the ball on a proposal by Governor Reynolds to restore voting rights to felons who have served their time. The Governor's proposal was approved on 95-2 vote in the House nearly a month ago and clearly had bipartisan support in the Iowa Senate. There's no excuse for Senate Republicans turning their backs on Iowans who deserve a second chance.

Iowa lost another eight labor and delivery departments last year and our state's maternal mortality rate has more than doubled in less than three years. Yet, several maternal and reproductive health care bills Democrats proposed did not get taken up. The Governor did not get her pharmacy access to birth control bill through the legislature nor did the Republicans restore access to health care providers again for the thousands of women who were banned seeing many of Iowans most highly qualified

providers in 2017. And in the final hours of the session, Republicans voted for anti-Planned Parenthood legislation that will actually lead to more abortions in our state, not fewer. That's shameful!

It's also shameful that legislative Republicans decided at the 11th hour of this session to take away the civil rights of Iowans who are already marginalized in our society. Democrats believe in expanding and protecting the civil rights of ALL Iowans. That is how we help our state grow.

Democrats pushed for putting more money in the pockets of Iowans with fairer tax policies, better job and apprenticeship opportunities, and decent wage and benefit policies for Iowans who work hard every day to support themselves and the people they love. Senate Republicans pushed for more red tape and hurdles for Iowa families struggling to make ends meet.

Children and adult survivors of child sexual abuse also lost again this session. A bill that would finally give survivors a chance to seek justice against their perpetrators and the organizations that covered up the crime were kept in a desk drawer and only a small window of time was added to the criminal statute of limitation for child sexual abuse.

While I am disappointed, that we did not accomplish more good things for Iowans in 2019, I am hopeful we can work together to make bigger strides next session.

I truly believe there are more things that unite us than divide us and we must continue looking for ways to work together to make Iowa a state we can proud to call home.

Thank you Iowans for making your voices heard this session.

SENATE REPORTS RECEIVED AFTER ADJOURNMENT

The following is a record of Senate reports received after the close of the 2019 Regular Session.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Medicaid Managed Care Oversight Quarterly Meeting Minutes, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on April 30, 2019.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on April 29, 2019.

STATE PUBLIC DEFENDER

Judicial Review Report—Office of the State Public Defender, pursuant to Iowa Code section 625.29. Report received on April 30, 2019.

BOARD OF REGENTS

Biennial Report, pursuant to Iowa Code section 262.26. Report received on May 28, 2019.

Physical Research and Technology (ISU) Report, pursuant to 2019 Iowa Acts, Senate File 608, Section 17. Report received on May 28, 2019.

State Geologist Annual Report, pursuant to 2018 Iowa Acts, Chapter 1023, section 15. Report received on May 28, 2019.

DEPARTMENT OF REVENUE

Central Collections Unit (CCU) Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on May 8, 2019.

Tax Expenditure Cost Estimate Report, pursuant to Iowa Code section 2.48. Report received on May 8, 2019.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Kossi Akakpo of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Kailynn Avis of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Kamryn Avis of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Owen Booth of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Jaley Burke of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Karissa Burton of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Tatiana Carrasquillo of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Kaitlyn Cawiezell of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Jacqueline Cruz of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Ezekiel Ellis of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Brittany Georgi of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Anahi Gonzalez of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Greg Goodman, Washington—Upon his retirement of 34 years with the Washington Police Department. Senator Kinney.

Jenyka Graves of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Alley Gray of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Maggie Halloran of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Rylan Hazen of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Alexandria Jimenez of Muscatine Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

John Klostermann, City of Dubuque Public Works Director—For being named one of the top leaders in his field by the American Public Works Association. Senator Jochum.

Kaitlyn Lathrop of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Jose Guadalupe Martinez III of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Shane Mathias of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Diamond McGee of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Taya Melendez of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Julia Moravec of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Shelby O'Brien of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Stephanie Orellana of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Cor'Jon Palmer of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Elizabeth Payne of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Mateo Rangel of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Brenden Steele of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Evelyn Van Heukelom, Pella—For celebrating her 100th birthday. Senator Rozenboom.

Sydney Weggen of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

BILLS REFERRED TO COMMITTEE FROM CALENDAR

MR: PRESIDENT: Pursuant to Senate Rule 4, the following bills remaining on the Senate Calendar upon adjournment of the 2019 session will be removed from the calendar and referred back to the committee to which they were originally assigned:

| | |
|-----------|---------------------------------------|
| S.F. 307 | Ways and Means |
| S.F. 335 | State Government |
| S.F. 342 | Judiciary |
| S.F. 375 | Judiciary |
| S.F. 389 | Transportation |
| S.F. 416 | Judiciary |
| S.F. 461 | Judiciary |
| S.F. 464 | Judiciary (with attached HF 267) |
| S.F. 522 | Judiciary |
| S.F. 557 | Commerce |
| S.F. 562 | Commerce |
| S.F. 579 | Judiciary |
| S.F. 582 | State Government |
| S.F. 598 | Ways and Means (with attached HF 339) |
| S.F. 601 | Appropriations |
| S.F. 610 | Ways and Means |
| S.F. 613 | Ways and Means |
| S.F. 622 | Ways and Means |
| S.F. 626 | Ways and Means |
| S.F. 628 | Ways and Means |
| S.F. 630 | Ways and Means |
| S.F. 635 | Ways and Means |
| S.F. 636 | Ways and Means |
| S.F. 639 | Government Oversight |
| S.C.R. 9 | Rules and Administration |
| S.J.R. 19 | State Government |
| S.J.R. 20 | Appropriations |
| S.J.R. 22 | Ways and Means |

W. CHARLES SMITHSON
Secretary of the Senate

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 27, 2019:

I am withdrawing the name of Janet Phipps for reconfirmation as Director of the Iowa Department of Administrative Services from further consideration by the Senate.

If you have any questions, please contact my Senior Legal Counsel Sam Langholz by phone at (515) 537-5280 or by email at sam.langholz@iowa.gov.

Sincerely,
KIM REYNOLDS
Governor

REPORT OF THE SECRETARY OF THE SENATE

April 29, 2019

The Honorable Kim Reynolds
Governor of Iowa
Hand-Delivered

Re: Notice of Senate Disapproval of a Gubernatorial Nominee

Dear Governor Reynolds,

On April 9, 2019, the Iowa Senate failed to approve the confirmation of Phil Hemingway as a member of the Board of Educational Examiners. Pursuant to Iowa Code section 2.32(11), this triggers certain timelines.

Notice of this disapproval was filed with your office on April 11, 2019. As part of that notice, it was also stated that a motion to reconsider the vote on the confirmation had been filed. When the Senate adjourned on April 27, 2019, a vote on the motion to reconsider had not been taken. As such, pursuant to Senate Rule 24 the motion is deemed to have failed as an operation of procedure. Therefore, the disapproval of Phil Hemingway is now official and the timelines in Iowa Code section 2.32(11) are official.

If you have any questions or concerns, please notify me.

Sincerely,
W. Charles Smithson
Secretary of the Senate

FINAL DISPOSITION OF MOTION TO RECONSIDER

Pursuant to Senate Rule 24, the following motion to reconsider, which remained on the Senate Calendar upon the adjournment of the 2019 Regular Session of the Eighty-eighth General Assembly, was determined to have **failed**:

The motion to reconsider the vote by which Phil Hemingway, the governor's appointee as member of the Board of Educational Examiners, failed to pass the Senate on April 9, 2019. (Motion to reconsider filed by Senator Whitver on April 9, 2019.)

W. CHARLES SMITHSON
Secretary of the Senate

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 29th day of April, 2019.

Senate File 475.

ALSO: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 30th day of April, 2019.

Senate Files 158, 170, 282, 283, 302, 303, 319, 341, 346, 364, 379, 412, 435, 505, 528, 531, 590, 600, and 618.

ALSO: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 2nd day of May, 2019.

Senate Files 86, 93, 139, 188, 228, 306, 337, 377, 409, 447, 597, 603, 605, 632, and 638.

ALSO: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 3rd day of May, 2019.

Senate Files 230, 265, 267, 323, 394, 502, 548, 563, 567, 570, 589, 609, 616, and 629.

ALSO: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 6th day of May, 2019.

Senate Files 599, 608, 615, 617, 619, and 634.

W. CHARLES SMITHSON
Secretary of the Senate

SENATE BILLS APPROVED AND ITEM VETOED AFTER ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2019 Regular Session:

SENATE BILLS APPROVED

Senate File 86—Requiring the department of natural resources to include anatomical donor symbols on certain licenses. Approved May 6, 2019.

Senate File 93—Relating to abandoned structures and abatement of public nuisances. Approved May 10, 2019.

Senate File 139—Relating to a financial literacy requirement under the state's educational standards. Approved May 9, 2019.

Senate File 158—Relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged. Approved May 1, 2019.

Senate File 170—Relating to the publication duties of and the filling of vacancies on county agricultural extension councils and including effective date and applicability provisions. Approved May 2, 2019.

Senate File 188—Prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university. Approved May 9, 2019.

Senate File 228—Relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council. Approved May 16, 2019.

Senate File 230—Relating to manufacturers of alcoholic beverages. Approved May 21, 2019.

Senate File 265—Providing for the sale of certain mushrooms at farmers markets, and providing an effective date. Approved May 3, 2019.

Senate File 267—Relating to the practice of massage therapy, and providing penalties. Approved May 10, 2019.

Senate File 282—Providing for the repeal of the honey creek premier destination park bond program. Approved May 1, 2019.

Senate File 283—Relating to conflicts of interest in certain government public contracts. Approved May 3, 2019.

Senate File 302—Relating to motor vehicles operated by an automated driving system, and making penalties applicable. Approved May 3, 2019.

Senate File 303—Relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary. Approved May 3, 2019.

Senate File 306—Establishing a lake Manawa state park user fee pilot program and a Waubonsie state park user fee pilot program. Approved May 9, 2019.

Senate File 319—Relating to peace officers and retired peace officers who provide street or highway driving instruction. Approved May 3, 2019.

Senate File 323 – Relating to canned cocktails and including effective date provisions. Approved May 10, 2019.

Senate File 337—Providing for exceptions to the state child labor law. Approved May 10, 2019.

Senate File 341—Relating to assistance animals and service animals in housing, service animals and service-animals-in-training in public accommodations, and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions. Approved May 2, 2019.

Senate File 346—Creating the criminal offense of female genital mutilation and providing penalties. Approved May 1, 2019.

Senate File 364—Relating to the Iowa sobriety and drug monitoring program. Approved May 2, 2019.

Senate File 377—Extending immunity from tort liability to certain nonprofit corporations providing emergency response services. Approved May 17, 2019.

Senate File 379 – Relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa. Approved May 1, 2019.

Senate File 394—Relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program. Approved May 9, 2019.

Senate File 409—Relating to administrative procedures within the department of natural resources. Approved May 9, 2019.

Senate File 412—Relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance, and making penalties applicable. Approved May 1, 2019.

Senate File 435—Relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions. Approved May 2, 2019.

Senate File 447—Relating to the power of cities to regulate certain building restrictions, and including effective date provisions. Approved May 2, 2019.

Senate File 475—Providing for notarial acts, including by providing for the use of electronic media, providing penalties, and including effective date provisions. Approved April 29, 2019.

Senate File 502—Relating to disclosures of certain information, including reprisals with respect to employees of the state and a political subdivision of the state and providing information to employees concerning the office of ombudsman. Approved May 10, 2019.

Senate File 505—Modifying provisions relating to the licensure of professional landscape architects. Approved May 10, 2019.

Senate File 528—Relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces. Approved May 1, 2019.

Senate File 531—Relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals. Approved May 3, 2019.

Senate File 548—Relating to the acquisition, donation, or sale of real property for specified purposes. Approved May 9, 2019.

Senate File 563—Relating to pharmacy benefit managers and information related to the management of prescription drug benefits, and including applicability provisions. Approved May 8, 2019.

Senate File 567—Relating to disqualifications from holding certain professional licenses for persons convicted of certain crimes. Approved May 9, 2019.

Senate File 570—Providing for immunity from civil liability for licensed architects and professional engineers providing disaster emergency assistance under specified circumstances and including effective date provisions. Approved May 10, 2019.

Senate File 589—Relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions. Approved May 16, 2019.

Senate File 590—Relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person. Approved May 1, 2019.

Senate File 597—Exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers. Approved May 16, 2019.

Senate File 599—Relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, including penalties, and providing implementation and effective date provisions. Approved May 13, 2019.

Senate File 600—Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions. Approved May 1, 2019.

Senate File 603—Relating to use of concurrent enrollment programs for teaching certain subjects required under the educational standards, to the enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and to the criminal offense of sexual exploitation by a school employee providing instruction under a concurrent enrollment program, making penalties applicable, and including retroactive and other applicability provisions. Approved May 23, 2019.

Senate File 605—Relating to the application fee and annual fee imposed for nonassistance child support cases. Approved May 10, 2019.

Senate File 608—Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the college student aid commission, and the state board of regents and certain regents institutions, and properly related matters. Approved May 17, 2019.

Senate File 609—Relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions. Approved May 13, 2019.

Senate File 616—Relating to appropriations to the judicial branch. Approved May 17, 2019.

Senate File 617—Relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions. Approved May 13, 2019.

Senate File 618—Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce and including effective date provisions. Approved May 10, 2019.

Senate File 619—Modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions. Approved May 16, 2019.

Senate File 629—Relating to permits for vehicles of excessive size and weight, including vehicles transporting raw forest products, and providing for fees. Approved May 20, 2019.

Senate File 632—Making appropriations to the department of public health for the gambling treatment program. Approved May 13, 2019.

Senate File 634—Relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, modifying provisions relating to the state appraisal manual, and including applicability provisions. Approved May 23, 2019.

Senate File 638—Relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date, applicability, and retroactive applicability provisions. Approved May 8, 2019.

GOVERNOR'S ITEM VETO MESSAGE

Senate File 615

May 22, 2019

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 615, an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

Senate File 615 is approved on this date with the exception of sections 24 and 28, of which I disapprove. These sections would have amended the Attorney General's statutory duties to require the approval of the Governor, Executive Council, or Legislature to prosecute any action or proceeding, including signing onto or authoring amicus briefs or letters of support, in any court or tribunal other than an Iowa state court.

I share many of the concerns expressed by members of the Legislature about the past actions of Attorney General Tom Miller in courts outside of Iowa. He has participated in litigation throughout the nation, repeatedly taking positions in the name of the State of Iowa that are in conflict with Iowa's statutes, the policy goals of the Legislature and Governor, and the best interests of Iowans. But I am cautious about approving a provision that redefines the scope of the Attorney General's duties because I am mindful that the Attorney General is also elected by, and directly accountable to, the people of Iowa.

As a result of the Legislature's leadership on this issue, Attorney General Miller and I have had the opportunity to engage in a thoughtful discussion about the appropriate balance of authority between the Governor and the Attorney General with respect to Iowa's involvement in litigation. And ultimately, Attorney General Miller agreed to my proposal to adjust our litigation practices in a manner that I believe addresses my core concerns without amending Iowa's current statutes.

Attorney General Miller has agreed that so long as he serves as Attorney General, he will not prosecute any action or proceeding or sign onto or author an amicus brief in the name of the State of Iowa in any court or tribunal other than an Iowa state court without the consent of the Governor. He retains the authority to participate in litigation or author letters in his own name, as Attorney General of Iowa. Attorney General Miller has also agreed that if the Governor requests that he prosecute an action or proceeding or file an amicus brief in any court, he will do so or facilitate outside counsel, and that such participation requested by the Governor shall be conducted in the name of the State of Iowa.

This agreement is an appropriate interpretation of the authority and duties provided for under existing Iowa law and our constitutional structure. It ensures that the State of Iowa will speak with one consistent voice when it participates in court proceedings outside of our state. And it respects the Attorney General's independent authority and accountability to the people of Iowa.

I commend the Legislature for starting this important discussion and Attorney General Miller for his willingness to reevaluate our practices with respect to engaging in litigation on behalf of the State of Iowa. I look forward to working with Attorney General Miller to ensure that the State's litigation advances the interests of Iowans.

For these reasons, I respectfully disapprove Senate File 615 in part, only as specified above, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. The remainder of Senate File 615 not disapproved as stated herein is approved on this date.

Sincerely,

KIM REYNOLDS
Governor of Iowa

AMENDMENTS FILED

EIGHTY-EIGHTH GENERAL ASSEMBLY

2019 REGULAR SESSION

S-3001

- 1 Amend Senate Resolution 3 as follows:
- 2 1. Page 47, line 20, by striking <9th> and inserting <10th>
- 3 2. Page 47, line 26, by striking <10th> and inserting <11th>
- 4 3. Page 47, line 29, by striking <11th> and inserting <12th>

COMMITTEE ON RULES
AND ADMINISTRATION
JACK WHITVER, Chair

S-3002

- 1 Amend Senate File 171 as follows:
- 2 1. Page 3, after line 3 by inserting:
- 3 <Sec. ____ Section 257.16C, Code 2019, is amended by adding
- 4 the following new subsection:
- 5 NEW SUBSECTION. 7. On or before December 1, 2020, and on
- 6 or before December 1 every five years thereafter, the director
- 7 of the department of education shall compile and review the
- 8 data collected as a result of the transportation equity aid
- 9 and transportation base funding payments provided under this
- 10 section and shall prepare a report to the general assembly
- 11 containing analysis of the aid and the payments' efficacy and
- 12 recommendations for changes.>
- 13 2. Title page, line 4, after <fund,> by inserting
- 14 <establishing transportation data review and reporting
- 15 requirements,>
- 16 3. By renumbering as necessary.

TIM KRAAYENBRINK

S-3003

- 1 Amend Senate Resolution 2 as follows:
- 2 1. Page 5, by striking lines 9 through 11 and inserting:
- 3 <~~A senator with a conflict of interest may participate~~
- 4 ~~in floor debate if prior to debate the senator indicates the~~
- 5 ~~conflict of interest.>~~
- 6 2. Page 6, after line 28 by inserting:
- 7 <12B. DISCRIMINATION — HARASSMENT — ABUSE. As provided
- 8 and defined in the personnel guidelines of the Iowa Senate.
- 9 a senator shall not engage in any act of discrimination,
- 10 harassment, or abuse of any person.>

- 11 3. Page 7, line 12, by striking <oath> and inserting <~~oath~~
 12 penalty of perjury>
 13 4. Page 7, line 13, by striking <or the chairperson of the
 14 ethics committee> and inserting <~~or the chairperson of the~~
 15 ethics committee>
 16 5. Page 7, line 13, by striking <If> and inserting <~~If~~ When>
 17 6. Page 8, by striking lines 6 through 9 and inserting:
 18 <~~e. Timeliness of filing. A complaint will be considered~~
 19 to be timely filed if it is filed within three years of the
 20 occurrence of the alleged violation of the ethics code.>
 21 7. Page 8, line 14, by striking <card> and inserting <~~card~~>
 22 8. Page 10, line 8, after <public> by inserting <by the
 23 complainant>
 24 9. By striking page 24, line 26, through page 25, line 7,
 25 and inserting:
 26 <~~(6) Other Income Categories Specified in State or Federal~~
 27 Income Tax Regulations (List description of other sources of
 28 income producing over one thousand dollars in annual income
 29 not previously reported above, but which must be reported for
 30 income tax purposes).>

JACK WHITVER
 JANET PETERSEN

S-3004

- 1 Amend House File 306, as passed by the House, as follows:
 2 1. Page 1, lines 9 and 10, by striking <two and six
 3 hundredths> and inserting <three>
 4 2. Page 1, line 24, by striking <two and six hundredths> and
 5 inserting <three>

CLAIRE CELSI
 TONY BISIGNANO
 JOE BOLKCOM
 NATE BOULTON
 JEFF DANIELSON
 WILLIAM A. DOTZLER, JR.
 ROBERT M. HOGG
 PAM JOCHUM
 KEVIN KINNEY
 JIM LYKAM
 LIZ MATHIS
 JANET PETERSEN
 HERMAN C. QUIRMBACH
 AMANDA RAGAN
 JACKIE SMITH
 RICH TAYLOR
 TODD TAYLOR
 ZACH WAHLS

S-3005

- 1 Amend Senate Resolution 3 as follows:
- 2 1. Page 31, line 9, after <members.> by inserting <Notice of
- 3 a subcommittee meeting must be announced at least twenty-four
- 4 hours prior to the scheduled meeting time.>
- 5 2. Page 32, line 18, after <open> by inserting <to the
- 6 public>
- 7 3. Page 32, line 21, after <open> by inserting <to the
- 8 public>
- 9 4. Page 33, line 18, after <meeting.> by inserting <Such
- 10 announcement must be made at least twenty-four hours prior to
- 11 the scheduled meeting time.>

JANET PETERSEN
TONY BISIGNANO
JOE BOLKCOM
NATE BOULTON
CLAIRE CELSI
JEFF DANIELSON
WILLIAM A. DOTZLER, JR.
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AMANDA RAGAN
JACKIE SMITH
RICH TAYLOR
TODD TAYLOR
ZACH WAHLS

S-3006

- 1 Amend Senate File 265 as follows:
- 2 1. Page 1, line 17, before <culinary> by inserting <wild>

DAN ZUMBACH

S-3007

- 1 Amend Senate File 86 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. SHORT TITLE. This Act shall be known as
- 4 "Logan's Law".>
- 5 2. By renumbering as necessary.

WAYLON BROWN

S-3008

- 1 Amend Senate File 203 as follows:
- 2 1. Page 1, by striking lines 4 through 7.
- 3 2. Page 1, line 13, after <state> by inserting <and is
- 4 located entirely within the boundaries of a single property and
- 5 does not directly border any other property>
- 6 3. Title page, by striking lines 1 and 2 and inserting <An
- 7 Act relating to fishing on private waters.>
- 8 4. By renumbering as necessary.

NATE BOULTON

S-3009

- 1 Amend Senate File 265 as follows:
- 2 1. Page 1, by striking lines 16 and 17 and inserting
- 3 <subsection 1, the department shall adopt rules for the sale
- 4 at a farmers market of culinary mushrooms commonly referred to
- 5 as a variety of wild golden oyster and classified as pleurotus
- 6 ostreatus, pleurotus populinus, or pleurotus pulmonarius.>

DAN ZUMBACH

S-3010

- 1 Amend Senate File 93 as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
- 4 <Section 1. Section 631.1, Code 2019, is amended by adding
- 5 the following new subsection:
- 6 **NEW SUBSECTION.** 10. The district court sitting in small
- 7 claims has concurrent jurisdiction for administrative warrant
- 8 applications pursuant to section 657A.1A, subsection 2.
- 9 Sec. 2. Section 655A.6, Code 2019, is amended to read as
- 10 follows:
- 11 **655A.6 Rejection of notice.**
- 12 1. If either the mortgagor, or successor in interest of
- 13 record including a contract purchaser, within thirty days of
- 14 service of the notice pursuant to section 655A.3, files with
- 15 the recorder of the county where the mortgaged property is
- 16 located, a rejection of the notice reasonably identifying
- 17 the notice which is rejected together with proofs of service
- 18 required under section 655A.4 that the rejection has been
- 19 served on the mortgagee, the notice served upon the mortgagor
- 20 pursuant to section 655A.3 is of no force or effect.
- 21 2. Rejection of notice pursuant to subsection 1 shall not be
- 22 available to a mortgagor, or successor in interest of record
- 23 including a contract purchaser, of a mortgaged property that a
- 24 court of competent jurisdiction determined has been abandoned
- 25 pursuant to section 657A.2, on or after the date as determined
- 26 in section 657A.2, subsection 5.

27 Sec. 3. Section 657A.1, subsections 1 and 3, Code 2019, are
28 amended to read as follows:

29 1. “Abandoned” or “abandonment” means that a building ~~has~~
30 ~~remained~~ is vacant, or is occupied only by trespassers, and has
31 ~~been~~ in violation of the housing code or building code of the
32 city in which the property is located or the housing code or
33 building code applicable in the county in which the property
34 is located if outside the limits of a city ~~for a period of six~~
35 ~~consecutive months.~~

Page 2

1 3. “Building” means a building or structure, excluding a
2 mobile home, a modular home, and a manufactured home as defined
3 in section 435.1, unless the mobile home or manufactured
4 home has been converted to real estate pursuant to section
5 435.26, located in a city or outside the limits of a city in
6 a county, which is used or intended to be used for commercial
7 or industrial purposes or which is used or intended to be
8 used for residential purposes and includes a building or
9 structure in which some floors may be used for retail stores,
10 shops, salesrooms, markets, or similar commercial uses, or for
11 offices, banks, civic administration activities, professional
12 services, or similar business or civic uses, and other floors
13 are used, designed, or intended to be used for residential
14 purposes.

15 Sec. 4. Section 657A.1, Code 2019, is amended by adding the
16 following new subsection:

17 **NEW SUBSECTION.** 8. “Responsible building official” or
18 “official” means the person appointed by the city or, if the
19 building is outside the limits of a city, the county, to
20 enforce its building codes and regulations in general or to
21 enforce this chapter in particular.

22 Sec. 5. **NEW SECTION. 657A.1A Preliminary inspection of**
23 **building.**

24 1. No sooner than one hundred thirty-five days after a
25 property has become vacant, a person, other than a governmental
26 entity, may request that the responsible building official
27 inspect the property and certify that a property is both
28 abandoned and in need of abatement. The responsible building
29 official may also initiate an inspection on the official’s own
30 initiative at any time.

31 2. If the responsible building official finds from an
32 exterior view of the property, in addition to any other
33 credible information that the official may have, that there
34 is reasonable cause to believe that the property is abandoned
35 and in need of abatement, the official shall schedule a date

Page 3

1 and time for an inspection of the property by the official.
2 The person requesting the inspection shall provide written

3 notice of the scheduled inspection by first class mail and
4 certified mail to the owner and all interested persons at
5 least twenty days before the inspection. The notice must
6 state the date, time, and place of the inspection and state
7 that unless the owner appears at the inspection to allow the
8 responsible building official access to the interior of the
9 property, the official, accompanied by the person serving
10 notice and any interested persons appearing for the inspection,
11 may enter the property to determine whether the property is
12 abandoned and in need of abatement and, if so, to estimate
13 the costs of abatement. The official may enter the property
14 for an inspection, along with the person serving notice and
15 any interested persons, if the owner is not present for the
16 inspection. Upon request, the inspection may be rescheduled
17 as needed. The responsible building official must obtain an
18 administrative search warrant pursuant to section 808.14 to
19 enter any building to conduct an inspection pursuant to this
20 section.

21 3. The responsible building official's findings shall
22 be in writing with copies provided to the person requesting
23 the inspection, the owner, and all interested parties. The
24 governmental entity employing the responsible building official
25 may establish and charge a fee to cover the reasonable costs
26 of the inspection, which shall be added to costs in an action
27 under this chapter.

28 4. Evidence that financial obligations in respect to a
29 building, including but not limited to payments of a mortgage,
30 bills, or property taxes, are currently met does not rebut a
31 finding of abandonment if the property is substantially in need
32 of abatement in an action filed under section 657A.2.

33 Sec. 6. Section 657A.2, Code 2019, is amended by striking
34 the section and inserting in lieu thereof the following:

35 **657A.2 Petition.**

Page 4

1 1. No sooner than the latter of thirty days after provision
2 of the responsible building official's findings under section
3 657A.1A and six months after a building has become abandoned,
4 a petition for abatement under this chapter may be filed in
5 the district court of the county in which the property is
6 located by the city in which the property is located, by the
7 county if the property is located outside the limits of a city,
8 by a neighboring landowner, or by a duly organized nonprofit
9 corporation which has as one of its goals the improvement of
10 housing conditions in the county or city in which the property
11 in question is located. The petition shall not demand a
12 personal judgment against any party, but shall concern only
13 the interests in the property. A petition for abatement filed
14 under this chapter shall include the legal description of
15 the real property upon which the public nuisance is located
16 unless the public nuisance is not situated on or confined to

17 a parcel of real property, or is portable or capable of being
18 removed from the real property. Service shall be made on all
19 interested persons by personal service or, if personal service
20 cannot be made, by certified mail and first class mail to the
21 last known address of record of the interested person and by
22 posting the notice in a conspicuous place on the building,
23 or by publication. The last known address of record for the
24 property owner shall be the address of record with the county
25 treasurer of the county where the property is located. Service
26 may also be made as provided in section 654.4A.

27 2. If entering judgment, the court shall determine any
28 issues at law, including issues relating to title, raised by
29 the plaintiff or by a party in interest who has filed a motion
30 or answer.

31 3. In any evidentiary hearing or motion in a proceeding
32 under this chapter, the written findings of the responsible
33 building official relating to the condition of the building and
34 other matters within the scope of this chapter, if provided
35 at least ten days before the hearing to all persons not in

Page 5

1 default, shall be accepted as evidence without prejudice to the
2 right of any party to require the personal testimony of the
3 responsible building official at the hearing.

4 4. If the court finds at a hearing pursuant to this section
5 that the building is abandoned or is a public nuisance, the
6 court may issue an injunction requiring the owner to correct
7 any conditions that make such building a public nuisance, or
8 issue another order that the court deems appropriate to address
9 the public nuisance.

10 5. If the court finds at a hearing pursuant to this
11 section that the building is abandoned, unless the court
12 order establishes otherwise, the property shall be deemed
13 continuously abandoned from the date the action is indexed
14 pursuant to section 617.10, subsection 1.

15 6. A property shall not be claimed as homestead pursuant to
16 chapter 561 on or after the date determined in subsection 5.

17 7. In a proceeding under this section, if the court
18 determines the building is not abandoned, the court shall
19 dismiss the petition and may require the petitioner to pay an
20 interested party's reasonable attorney fees. An owner of the
21 property who failed to appear for an inspection pursuant to
22 section 657A.1A shall not be awarded attorney fees under this
23 section.

24 8. If a party to the action holds an interest in the
25 property as a nominee, a fiduciary, or another representative
26 capacity for a third party, or an underlying loan on the
27 property is guaranteed by a third party, the party to the
28 action may apply to the court for a stay of action, as it
29 affects the party's interest, for a reasonable time to allow
30 the party to obtain the appropriate authority, information, or

31 instructions from or on behalf of the beneficiary or guarantor
32 as related to the property interest or underlying loan.
33 Sec. 7. Section 657A.3, Code 2019, is amended to read as
34 follows:
35 **657A.3 Interested persons — opportunity to abate public**

Page 6

1 **nuisance.**

2 1. Before appointing a receiver to perform work or to
3 furnish material to abate a public nuisance under this chapter,
4 the court shall ~~conduct a hearing at which the court shall~~
5 ~~offer mortgagees of record, lienholders of record, or other~~
6 ~~known interested persons in the order of priority of interest~~
7 ~~in title, the opportunity to undertake the work and to furnish~~
8 ~~the materials necessary to abate the public nuisance. The~~
9 ~~establish a date before which interested persons may file with~~
10 ~~the court shall require the person selected to demonstrate~~
11 ~~the written proof of intent and ability to promptly undertake~~
12 ~~promptly the work required and to post security for the~~
13 ~~performance of the work. If no such written proof is filed~~
14 ~~by that date, the court may appoint a receiver pursuant to~~
15 ~~subsection 3.~~

16 2. All amounts expended by the person toward abating the
17 public nuisance are a lien on the property if the expenditures
18 ~~were are~~ approved in advance by ~~the a~~ judge and if the person
19 desires the lien. ~~The Unless an interested person has a~~
20 ~~contract with the owner providing for a different interest~~
21 ~~rate, the~~ lien shall bear interest at the rate provided for
22 judgments pursuant to section 535.3, and shall be payable upon
23 terms approved by the judge. If a certified copy of ~~the a~~
24 court order ~~that approved~~ approving the expenses and the terms
25 of payment for the lien, and a description of the property
26 in question, are filed ~~for~~ of record within thirty days of
27 the date of issuance of the order in the office of the county
28 recorder of the county in which the property is located, the
29 lien has the same priority as the mortgage of a receiver as
30 provided in section 657A.7.

31 ~~2- 3.~~ If the court determines by the date established
32 in subsection 1 or at the a hearing conducted pursuant
33 to subsection 1, on the sufficiency of a timely filed
34 rehabilitation plan that no interested person can undertake the
35 work and furnish the materials required to abate the public

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1 nuisance, or if the court determines at any time after the
2 hearing that an interested person who is undertaking corrective
3 work pursuant to this section cannot or will not proceed, or
4 has not proceeded with due diligence, the court may appoint a
5 receiver to take possession and control of the property. The
6 receiver shall be appointed in the manner provided in section

7 657A.4.

8 4. If the building is a historic building or is located in
9 a designated historic district, the court shall give preference
10 to an economically feasible rehabilitation plan that preserves
11 the historical nature of the building.

12 5. Unless a receiver's mortgage provides for periodic
13 payments, a notice, in lieu of the notice pursuant to section
14 654.2D, shall also be served by ordinary or electronic mail
15 informing all interested persons of the date certain for the
16 maturity of the mortgage note, or the event triggering maturity
17 of the mortgage note, and that on maturity the receiver's
18 mortgage loan will be payable in full and the mortgagee may
19 then commence foreclosure without further notice. A notice
20 pursuant to section 654.4B shall also be served by ordinary or
21 electronic mail on the owner of record of the property. The
22 mortgagee shall not commence foreclosure of the mortgage until
23 sixty calendar days have passed since the date of service of a
24 notice under this subsection.

25 Sec. 8. Section 657A.4, Code 2019, is amended to read as
26 follows:

27 **657A.4 Appointment of receiver.**

28 ~~After conducting~~ If after expiration of a date established
29 pursuant to section 657A.3, subsection 1, or a hearing
30 pursuant to section 657A.3, the court may appoint a receiver
31 to take possession and control of the property in question.
32 A person shall not be appointed as a receiver unless the
33 person has first provided the court with a viable financial
34 and construction plan for the rehabilitation of the property
35 in question and has demonstrated the capacity and expertise

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1 to perform the required work in a satisfactory manner. The
2 appointed receiver may be a financial institution that
3 possesses an interest of record in the property, a nonprofit
4 corporation that is duly organized and exists for the primary
5 purpose of improving housing conditions in the county or city
6 in which the property in question is located, or any person
7 deemed qualified by the court. No part of the net earnings of a
8 nonprofit corporation serving as a receiver under this section
9 shall benefit a private shareholder or individual. Membership
10 on the board of trustees of a nonprofit corporation does not
11 constitute the holding of a public office or employment and is
12 not an interest, either direct or indirect, in a contract or
13 expenditure of money by a city or county. No member of a board
14 of trustees of a nonprofit corporation appointed as receiver
15 is disqualified from holding public office or employment, nor
16 is a member required to forfeit public office or employment by
17 reason of the membership on the board of trustees.

18 Sec. 9. Section 657A.6, subsection 9, Code 2019, is amended
19 to read as follows:

20 9. Issue notes and secure the notes by mortgages bearing

21 interest at the rate provided for judgments pursuant to
22 section 535.3, and any terms and conditions as approved by
23 the court. The court may provide for a higher interest rate
24 if the receiver has established to the satisfaction of the
25 court that the receiver has sought financing from individuals
26 and institutions willing to lend money for rehabilitation
27 of property and that the terms proposed by the receiver are
28 reasonable. When transferred by the receiver in return for
29 valuable consideration ~~is~~ including money, material, labor,
30 or services, the notes issued by the receiver are freely
31 transferable. If the receiver has notice that the mortgagee
32 of the receiver's mortgage is contemplating a transfer of the
33 mortgage, the receiver shall disclose such to the court in the
34 application for approval of the mortgage.
35 Sec. 10. NEW SECTION. 657A.6A Receiver — prohibited acts.

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1 Notwithstanding section 657A.10, it shall be unlawful, and a
2 receiver may be held liable for actual damages as determined
3 by a court, for entering a residential property that is not
4 abandoned for the purpose of forcing, intimidating, harassing,
5 or coercing a lawful occupant of the property to vacate in
6 order to render the property vacant and abandoned, and it shall
7 be unlawful to otherwise force, intimidate, harass, or coerce
8 a lawful occupant of a residential property to vacate so the
9 property may be deemed vacant and abandoned. A receiver who
10 peacefully enters a property for the purpose of rendering the
11 property vacant and abandoned shall be immune from liability
12 if the receiver makes a good-faith effort to comply with this
13 chapter and all terms of any applicable mortgage, lease, or
14 other agreement related to the occupancy of the building.

15 Sec. 11. Section 657A.7, subsection 1, Code 2019, is amended
16 to read as follows:

17 1. If the receiver's mortgage is filed ~~for~~ of record in
18 the office of the county recorder of the county in which the
19 property is located within sixty days of the issuance of a
20 secured note, the receiver's mortgage is a first lien upon the
21 property and is superior to claims of the receiver and to all
22 prior or subsequent liens and encumbrances except taxes and
23 assessments, including taxes and assessments advanced by any
24 mortgagee in the twelve-month period immediately preceding the
25 date a petition is filed pursuant to section 657A.2. Priority
26 among the receiver's mortgages is determined by the order in
27 which the mortgages are recorded.

28 Sec. 12. Section 657A.7, Code 2019, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 3. If a mortgagee of the receiver's
31 mortgage begins foreclosure procedures pursuant to chapter 655A
32 and an interested party desires to pay off the mortgage loan,
33 the interested party shall also pay the mortgagee's reasonable
34 costs and attorney fees.

35 Sec. 13. Section 657A.8, Code 2019, is amended to read as

Page 10

1 follows:

2 **657A.8 Assessment of costs.**

3 The court may assess the costs and expenses set out in
4 section 657A.6, subsection 2, and may approve receiver's fees
5 to the extent that the fees are not covered by the income
6 from the property. The receiver shall pay the costs and
7 reasonable attorney fees of a plaintiff who requested an
8 inspection pursuant to section 657A.1A unless an interested
9 party not in default who appeared for the inspection objects
10 to the fees and costs in whole or in part. The court shall
11 determine the merits of such objection. If the court finds
12 that a neighboring landowner has pursued an action pursuant to
13 this chapter in bad faith, the court may assess attorney fees
14 against the neighboring landowner and may bar such neighboring
15 landowner from filing future actions under this chapter. If a
16 foreclosure of the receiver's mortgage pursuant to chapter 655A
17 is contemplated, the court may retain jurisdiction to determine
18 the amount of attorney fees payable under section 657A.7,
19 subsection 3.

20 Sec. 14. Section 657A.10A, subsection 1, paragraph a, Code
21 2019, is amended to read as follows:

22 a. In lieu of the procedures in sections ~~657A.2~~ 657A.1A
23 through 657A.10 and 657A.10B, a city in which ~~an abandoned a~~
24 building that has been abandoned for at least six consecutive
25 months is located may petition the court to enter judgment
26 awarding title to the abandoned property to the city. A
27 petition filed under this section shall include the legal
28 description of the abandoned property. If more than one
29 abandoned building is located on a parcel of real estate, the
30 city may combine the actions into one petition. The owner of
31 the building and grounds, mortgagees of record, lienholders
32 of record, or other known persons who hold an interest in the
33 property shall be named as respondents on the petition.

34 Sec. 15. NEW SECTION. 657A.10B Applicability.

35 The provisions of sections 657A.1A through 657A.10 shall

Page 11

1 only apply to cities and counties that have, by ordinance,
2 provided that the provisions shall apply.

3 Sec. 16. NEW SECTION. 657A.10C Petition for injunction.

4 As an alternative to the remedies under this chapter, a
5 city, or a county if a property that is alleged to be a public
6 nuisance is located outside the limits of a city, may petition
7 the court for an injunction that requires the owner of the
8 property to correct or eliminate the condition or violation
9 causing the public nuisance. Service of the original notice
10 shall be made as provided in section 657A.2, subsection 1.

- 11 Sec. 17. CODE EDITOR DIRECTIVE.
12 1. The Code editor is directed to renumber section 657A.10B,
13 as enacted in this Act, as section 657A.10A, and to renumber
14 section 657A.10A as section 657A.10B.
15 2. The Code editor shall correct internal references in the
16 Code and in any enacted legislation as necessary due to the
17 enactment of this section.>

COMMITTEE ON LOCAL GOVERNMENT
JEFF EDLER, Chair

S-3011

- 1 Amend Senate File 376 as follows:
2 1. Title page, line 2, by striking <nine> and inserting
3 <seven>

JEFF EDLER

S-3012

- 1 Amend Senate File 461 as follows:
2 1. Page 2, line 25, by striking <subsection> and inserting
3 <paragraph>

AMY SINCLAIR

S-3013

- 1 Amend Senate File 546 as follows:
2 1. By striking page 87, line 25, through page 88, line 2.
3 2. By renumbering as necessary.

COMMITTEE ON JUDICIARY
BRAD ZAUN, Chair

S-3014

- 1 Amend Senate File 447 as follows:
2 1. Title page, line 2, after <restrictions> by inserting <,
3 and including effective date provisions>

JAKE CHAPMAN

S-3015

- 1 Amend Senate File 274 as follows:
2 1. Page 2, line 6, by striking <traditional or>
3 2. Page 3, line 17, by striking <traditional>
4 3. Page 4, line 19, by striking <abide by> and inserting
5 <support>

- 6 4. Page 5, line 14, by striking <traditional>

AMY SINCLAIR

S-3016

1 Amend Senate File 457 as follows:

- 2 1. Page 12, line 26, after <321.210> by inserting
3 <Additionally, the department shall assess the person a civil
4 penalty of two hundred dollars. However, for persons age
5 nineteen or under, the department shall assess a civil penalty
6 of fifty dollars. The money collected by the department as
7 civil penalties shall be transmitted by the treasurer of state
8 who shall deposit the money in the juvenile detention home fund
9 created in section 232.142. A person assessed a civil penalty
10 under this subparagraph may remit the civil penalty along
11 with a processing fee of five dollars to a county treasurer
12 authorized to issue driver's licenses under chapter 321M, or
13 the civil penalty may be paid directly to the department.>

DAN DAWSON

S-3017

1 Amend Senate File 538 as follows:

- 2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. MEDICAID DEMONSTRATION WAIVER REQUEST —
5 COMMUNITY ENGAGEMENT REQUIREMENTS FOR IOWA HEALTH AND WELLNESS
6 PLAN MEMBERS.
7 1. The department of human services shall submit a request
8 by March 1, 2020, to receive federal approval from the centers
9 for Medicare and Medicaid services of the United States
10 department of health and human services (CMS) for a section
11 1115 demonstration waiver to require that as a condition of
12 eligibility, Iowa health and wellness plan members participate
13 in community engagement activities.
14 2. The waiver request submitted by the department shall
15 require that, unless an individual is exempt pursuant to
16 subsection 3, as a condition of eligibility for the Iowa health
17 and wellness plan, a recipient shall do one of the following:
18 a. Work twenty hours or more per week, averaged over a
19 six-month period.
20 b. Participate in and comply with the requirements of a
21 work program for twenty hours or more per week, averaged on a
22 monthly basis, as determined by the department.
23 c. Volunteer twenty hours or more per week, averaged on a
24 monthly basis, as determined by the department.
25 d. Meet a combination of work and work program participation
26 requirements for a total of twenty hours or more per week, as
27 determined by the department.
28 e. Participate in and comply with the PROMISE JOBS program

29 pursuant to chapter 239B.
30 f. Be enrolled in the future ready Iowa program.
31 g. Participate in other activities identified by the
32 department and approved by CMS.
33 3. The following individuals shall be exempt from the
34 requirements specified in subsection 2:
35 a. An individual medically certified as physically or

Page 2

1 mentally unfit for employment.
2 b. An individual who is pregnant.
3 c. A parent or caretaker responsible for the care of a
4 dependent child under six years of age.
5 d. A parent or caretaker personally providing the care for a
6 dependent child with a serious medical condition or disability,
7 as determined by the department.
8 e. An individual receiving unemployment compensation and
9 complying with work requirements of the federal or state
10 unemployment compensation system.
11 f. An individual participating in a drug or alcohol
12 treatment and rehabilitation program.
13 g. An individual determined to be medically exempt.
14 h. An individual enrolled full-time in an educational
15 institution.
16 i. The parent of a child who provides private instruction
17 pursuant to chapter 299A to that child.
18 j. An individual who is a caregiver for an elderly person or
19 an adult with a chronic, disabling, or serious health condition
20 as determined by the department.
21 k. An individual who meets other criteria identified by the
22 department, and approved by CMS.
23 4. The waiver request submitted by the department shall
24 also provide that if an individual does not comply with the
25 community engagement activities during the individual's initial
26 six-month period of eligibility, the individual shall be
27 placed on a limited benefit plan, and if an individual does
28 not comply with the community engagement activities during the
29 individual's subsequent six-month period of eligibility, the
30 individual's eligibility for the program shall be terminated.
31 The department shall include the parameters for the limited
32 benefit plan in the waiver request submitted.
33 5. a. The department shall implement the Medicaid waiver
34 as approved by CMS prospectively from the date of receipt of
35 federal approval.

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1 b. The department shall adopt rules pursuant to chapter 17A
2 to administer the waiver provisions.>

S-3018

- 1 Amend Senate File 509 as follows:
2 1. Page 1, by striking lines 26 and 27 and inserting:
3 <h. For the purposes of this subsection:
4 (1) "~~central~~ Central office equipment" means equipment
5 utilized>

ZACH NUNN

S-3019

- 1 Amend the amendment, S-3015, to Senate File 274 as follows:
2 1. Page 1, by striking lines 4 and 5 and inserting:
3 <__. Page 4, by striking lines 10 through 22.>
4 2. Page 1, after line 6 by inserting:
5 <__. By renumbering, redesignating, and correcting
6 internal references as necessary.>
7 3. By renumbering as necessary.

ZACH WAHLS

S-3020

- 1 Amend Senate File 237 as follows:
2 1. Page 2, after line 1 by inserting:
3 <Sec. __. **NEW SECTION. 46.1A Appointment of state judicial**
4 **nominating commissioner by supreme court.**
5 1. The supreme court, by majority vote, shall appoint one
6 eligible elector to the state judicial nominating commission.
7 2. The appointment made by the supreme court shall be for a
8 term of six years and shall be made in the month of January for
9 a term commencing February 1.
10 3. The commissioner shall be chosen without reference to
11 political affiliation.
12 4. The supreme court shall give due consideration to area
13 representation on the commission when making an appointment.
14 5. A person appointed to replace a commissioner in the
15 middle of a term must be of the same gender as the commissioner
16 being replaced. A person appointed to replace a commissioner
17 upon the end of a term shall be of a different gender than the
18 commissioner being replaced.
19 6. A commissioner who has served a full six-year term on the
20 state judicial nominating commission, whether the commissioner
21 was appointed or elected, shall be ineligible to be appointed
22 to a second six-year term.
23 7. No person may be appointed who holds an office of
24 profit of the United States or of the state at the time of
25 appointment.>
26 2. Page 4, after line 10, by inserting:
27 <5. The supreme court shall appoint one commissioner of any
28 gender with an initial term expiring on January 31, 2021.>

- 29 3. Page 4, line 11, by striking <5.> and inserting <~~5.~~ 6.>
 30 4. Page 5, line 6, by striking <7. 6.> and inserting <7.>
 31 5. Page 5, line 7, after <members> by inserting <new>
 32 6. Page 5, line 9, after <terms> by inserting <, by the
 33 supreme court as provided in section 46.1A.>
 34 7. Page 5, line 11, by striking <7.> and inserting <8.>
 35 8. Page 5, by striking line 13 and inserting <the governor

Page 2

- 1 prior to the effective date of this Act, any scheduled meeting
 2 of the commission shall be postponed until the newly appointed
 3 commission holds its first organizational meeting properly
 4 noticed under section 46.13. The>
 5 9. Page 5, line 24, by striking <~~five~~ four> and inserting
 6 <five>
 7 10. Page 5, line 31, by striking <a simple majority half>
 8 and inserting <a simple majority>
 9 11. Page 6, line 4, by striking <~~or elected~~> and inserting
 10 <or elected>
 11 12. By striking page 6, line 12, through page 7, line 13,
 12 and inserting:
 13 <Sec. ____ **NEW SECTION. 46.3A Appointment of district**
 14 **judicial nominating commissioner by supreme court.**
 15 1. The supreme court, by majority vote, shall appoint one
 16 eligible elector of each judicial election district to the
 17 district judicial nominating commission.
 18 2. The appointments made by the supreme court shall be for
 19 terms of six years and shall be made in the month of January for
 20 terms commencing February 1 of odd-numbered years.
 21 3. The commissioners shall be chosen without reference to
 22 political affiliation.
 23 4. The supreme court shall give due consideration to area
 24 representation on the commission when making an appointment.
 25 5. A person appointed to replace a commissioner in the
 26 middle of a term must be of the same gender as the commissioner
 27 being replaced. A person appointed to replace a commissioner
 28 upon the end of a term shall be of a different gender than the
 29 commissioner being replaced.
 30 6. A commissioner who has served a full six-year term
 31 on the district judicial nominating commission, whether the
 32 commissioner was appointed or elected, shall be ineligible to
 33 be appointed to a second six-year term.
 34 7. No person may be appointed who holds an office of
 35 profit of the United States or of the state at the time of

Page 3

- 1 appointment.
 2 Sec. ____ Section 46.4, Code 2019, is amended by adding the
 3 following new subsections:
 4 **NEW SUBSECTION.** 3. A commissioner who has served a full

5 six-year term on the district judicial nominating commission,
6 whether the commissioner was appointed or elected, shall be
7 ineligible to be elected to a second six-year term.
8 NEW SUBSECTION. 4. No person may be elected who holds an
9 office of profit of the United States or of the state at the
10 time of appointment.>
11 13. By striking page 7, line 16, through page 9, line 11,
12 and inserting:
13 <1. The initial term of the commissioners appointed by the
14 supreme court shall be as follows:
15 a. In judicial election districts 1A, 2A, 3A, 5A, 5C, 8A,
16 and the seventh judicial district, the supreme court shall
17 appoint one male commissioner with a term expiring on January
18 31, 2021.
19 b. In judicial election district 1B, 2B, 3B, 5B, 8B, and the
20 fourth and sixth judicial districts, the supreme court shall
21 appoint one female commissioner with a term expiring on January
22 31, 2025.
23 2. After the initial term is served pursuant to subsection
24 1, new commissioners shall be appointed to six-year terms by
25 the supreme court as provided in section 46.3A.
26 3. If a district judicial nominating commission has
27 received notice of a vacancy and has not yet submitted nominees
28 to the governor prior to the effective date of this Act, any
29 scheduled meeting of the commission shall be postponed until
30 any new commissioner is appointed pursuant to this section and
31 the commission holds a new organizational meeting properly
32 noticed under section 46.13. The commission may choose to
33 continue with its currently scheduled nomination process,
34 extend its nomination process, or conduct a new nomination
35 process. In any such pending vacancy, notwithstanding section

Page 4

1 46.14, subsection 1, the commission must certify to the
2 governor and the chief justice the proper number of nominees
3 within sixty days of the effective date of this Act.>
4 14. By striking page 9, line 15, through page 11, line 3,
5 and inserting:
6 <1. When a vacancy occurs in the office of an appointive
7 judicial nominating commissioner, the chairperson of
8 the particular commission or the governor shall promptly
9 notify the ~~governor~~ appointing authority in writing of such
10 fact. Vacancies in the office of an appointive judicial
11 nominating commissioner shall be filled by appointment by
12 the ~~governor~~ same appointing authority that appointed the
13 previous commissioner where the vacancy occurred, consistent
14 with eligibility requirements. ~~The term of state judicial~~
15 ~~nominating commissioners so appointed shall commence upon~~
16 ~~their appointment pending confirmation by the senate at the~~
17 ~~then session of the general assembly or at its next session~~
18 ~~if it is not then in session.~~ The term of district judicial

19 nominating commissioners so appointed shall commence upon their
20 appointment.

21 2. ~~Except where the term has less than ninety days~~
22 ~~remaining, vacancies in the office of elective member of the~~
23 ~~state judicial nominating commission shall be filled consistent~~
24 ~~with eligibility requirements by a special election within the~~
25 ~~congressional district where the vacancy occurs, such election~~
26 ~~to be conducted as provided in sections 46.9 and 46.10. An~~
27 ~~appointive commissioner shall be deemed to have submitted a~~
28 ~~resignation if the commissioner fails to attend a meeting of~~
29 ~~the commission that is properly noticed under section 46.13~~
30 ~~and at which the commission conducts interviews or selects~~
31 ~~nominees for judicial office. The appointing authority of~~
32 ~~the commissioner in the appointing authority's discretion may~~
33 ~~accept or reject the resignation. If the appointing authority~~
34 ~~accepts the resignation, the appointing authority shall notify~~
35 ~~the commissioner and the chairperson of the commission in~~

Page 5

1 ~~writing and shall then make another appointment.~~
2 3. Vacancies in the office of elective ~~district judicial~~
3 ~~nominating commissioner of district judicial nominating~~
4 ~~commissions shall be filled consistent with eligibility~~
5 ~~requirements and by majority vote of the authorized number of~~
6 ~~elective members of the particular commission, at a meeting of~~
7 ~~such members called in the manner provided in section 46.13.~~
8 ~~The term of judicial nominating commissioners so chosen shall~~
9 ~~commence upon their selection by a special election within the~~
10 ~~judicial election district where the vacancy occurs unless the~~
11 ~~term has less than ninety days remaining, in which case the~~
12 ~~office shall remain vacant. The special election shall be~~
13 ~~completed within ninety days of the vacancy arising and shall~~
14 ~~be conducted as provided in sections 46.9, 46.9A, and 46.10.~~
15 4. If a vacancy occurs in the office of chairperson of
16 a judicial nominating commission, ~~or in the members of the~~
17 ~~particular commission shall elect a new chairperson as provided~~
18 ~~in section 46.6. In the absence of the chairperson, the~~
19 ~~members of the particular commission shall elect a temporary~~
20 ~~chairperson from their own number.~~
21 5. ~~When a vacancy in an office of an elective judicial~~
22 ~~nominating commissioner occurs, the state court administrator~~
23 ~~shall cause to be mailed to each member of the bar whose name~~
24 ~~appears on the certified list prepared pursuant to section 46.8~~
25 ~~for the district or districts affected, a notice stating the~~
26 ~~existence of the vacancy, the requirements for eligibility,~~
27 ~~and the manner in which the vacancy will be filled. Other~~
28 ~~items may be included in the same mailing if they are on sheets~~
29 ~~separate from the notice. The election of a district judicial~~
30 ~~nominating commissioner or the close of nominations for a state~~
31 ~~judicial nominating commissioner shall not occur until thirty~~
32 ~~days after the mailing of the notice. Notwithstanding section~~

33 69.1A, appointed and elected commissioners on the state and
34 district judicial nominating commissions shall not hold over
35 until their successor is elected and qualified.>

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1 15. Page 11, by striking lines 11 through 20 and inserting
2 ~~<nominating commission. The commissioners of a particular~~
3 judicial nominating commission shall elect a chairperson from
4 their own number. The chairperson shall serve a two-year
5 term that expires on January 31 of odd-numbered years. A
6 commissioner may be reelected for a second or third term
7 as chairperson. If a chairperson of a judicial nominating
8 commission desires to be relieved of the duties of chairperson
9 while retaining the status of commissioner, the chairperson
10 shall notify the governor and the other commissioners of
11 the commission. At the next meeting of the commission, the
12 commissioners shall elect a new chairperson for the remainder
13 of the two-year term.

14 Sec. ____ Section 46.7, Code 2019, is amended to read as
15 follows:

16 **46.7 Eligibility to vote.**

17 To be eligible to vote in elections of district judicial
18 nominating commissioners, a member of the bar must be eligible
19 to practice and must be a resident of the state of Iowa and of
20 the appropriate ~~congressional district or~~ judicial election
21 ~~district as shown by the member's most recent filing with the~~
22 ~~supreme court for the purposes of showing compliance with~~
23 ~~the court's continuing legal education requirements, or for~~
24 ~~members of the bar eligible to practice who are not required~~
25 ~~to file such compliance, any paper on file by July 1 with the~~
26 ~~state court administrator, for the purpose of establishing~~
27 ~~eligibility to vote under this section, which the court~~
28 ~~determines to show the requisite residency requirements at the~~
29 time the member votes in the election. The member's residency
30 shall be determined by the home address shown on the member's
31 most recent electronic or paper submission to the commission
32 on continuing education and the client security commission or
33 on the member's bar admission records. A judge who has been
34 admitted to the bar of the state of Iowa shall be considered a
35 member of the bar.

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1 Sec. ____ Section 46.8, Code 2019, is amended to read as
2 follows:

3 **46.8 Certified list.**

4 ~~Each year the~~ The state court administrator shall ~~certify a~~
5 maintain a certified list of the names, addresses, and years
6 of admission of members of the bar who are eligible to vote for
7 ~~state and~~ district judicial nominating commissioners.

8 Sec. ____ Section 46.9, Code 2019, is amended to read as

9 follows:

10 **46.9 Conduct of elections.**

11 When an election of judicial nominating commissioners is
12 to be held, the state court administrator shall administer
13 the voting. The state court administrator may administer
14 the voting by electronic notification and voting or by paper
15 ballot mailed to each eligible attorney. The state court
16 administrator shall mail paper ballots to eligible attorneys or
17 electronically notify and enable eligible attorneys to vote.
18 The elector receiving the most votes shall be elected. When
19 more than one commissioner is to be elected, the electors
20 receiving the most votes shall be elected, in the same number
21 as the offices to be filled. The election results, including
22 the number of votes cast for each elector and the total number
23 of members of the bar eligible to vote in each election, shall
24 be made publicly available on the judicial branch internet
25 site and shall be reported to the governor and to the general
26 assembly within ten days after the conclusion of the election.

27 Sec. ____ Section 46.9A, Code 2019, is amended to read as
28 follows:

29 **46.9A Notice preceding nomination of elective district**
30 **judicial nominating commissioners.**

31 At least sixty days prior to the expiration of the term of an
32 elective ~~state or~~ district judicial nominating commissioner or
33 the expiration of the period within which a special election
34 must be held, the state court administrator shall ~~mail paper~~
35 ~~ballots to eligible attorneys or electronically notify and~~

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1 ~~enable eligible attorneys to vote. An eligible attorney is~~
2 ~~a member of the bar whose name appears on the certified list~~
3 ~~prepared pursuant to section 46.8 for the district or districts~~
4 ~~affected~~ provide notice of the current or upcoming vacancy
5 and the nomination and election process by making the notice
6 publicly available on the judicial branch internet site,
7 issuing a press release, and electronically notifying members
8 of the bar. The election shall not commence until at least
9 thirty days after the issuance of the notice required by this
10 section.

11 Sec. ____ Section 46.10, Code 2019, is amended to read as
12 follows:

13 **46.10 Nomination of elective district judicial nominating**
14 **commissioners.**

15 1. In order to have an eligible elector's name printed
16 on the ballot for ~~state or~~ district judicial nominating
17 commissioner, the eligible elector must file in the office of
18 the state court administrator at least thirty days prior to
19 expiration of the period within which the election must be
20 held a nominating petition signed by ~~at least fifty resident~~
21 ~~members of the bar of the congressional district in case of a~~
22 ~~candidate for state judicial nominating commissioner, or at~~

23 least ten ~~resident members of the bar~~ eligible electors of the
24 judicial district ~~in case of a candidate for district judicial~~
25 ~~nominating commissioner. No member of the bar may sign more~~
26 ~~nominating petitions for state or district judicial nominating~~
27 ~~commissioner than there are such commissioners to be elected.~~
28 2. Ballots or electronic voting forms for state and district
29 judicial nominating commissioners shall contain blank lines
30 equal to the number of such commissioners to be elected, where
31 names may be written in. Any electronic voting form must
32 permit a voter to write in the name of any eligible elector.
33 16. Page 11, line 25, after ~~<respectively>~~ by inserting <
34 the supreme court.
35 17. Page 11, lines 28 and 29, by striking ~~<chairperson~~

Page 9

1 of the respective nominating commissions.> and inserting
2 ~~<chairperson of the respective nominating commissions~~
3 governor. Upon the completion of an election, the state
4 court administrator shall certify the names and addresses of
5 the elected judicial nominating commissioners to the state
6 commissioner of elections and the governor.>
7 18. By striking page 11, line 35, through page 12, line
8 4, and inserting ~~<forthwith so notify the chairperson of~~
9 ~~the proper judicial nominating commission governor. The~~
10 ~~chairperson governor~~ shall call a meeting of the proper
11 judicial nominating commission within ten days after such
12 notice; if the ~~chairperson governor~~ fails to do so, the chief
13 justice shall call such meeting.>
14 19. Page 12, line 8, before ~~<chairperson>~~ by inserting
15 ~~<governor or>~~
16 20. Page 12, after line 30 by inserting:
17 <4. The state judicial nominating commission shall adopt
18 uniform rules for the state and district judicial nominating
19 commissions that shall be consistent with this chapter
20 and shall provide for a uniform and fair process for the
21 commissions to consider applicants and select nominees. The
22 state judicial nominating commission shall provide for a public
23 comment period of at least thirty days on its proposed uniform
24 rules prior to adopting the rules and shall adopt the rules
25 within six months of the effective date of this Act. Such
26 rules shall be made publicly available on the judicial branch
27 internet site.>
28 21. Page 13, line 13, after ~~<commission>~~ by inserting
29 ~~<Nominees to the district court must reside in the judicial~~
30 ~~election district to which they are nominated or in another~~
31 ~~judicial election district in the same judicial district as the~~
32 ~~judicial election district to which they are nominated.~~>
33 22. Page 14, after line 3 by inserting:
34 <Sec. ____. **NEW SECTION. 46.15A Severability and judicial**
35 **review.**

Page 10

1 1. If any provision or clause of this chapter or any
2 application of this chapter to any person or circumstances
3 is held invalid, such invalidity shall not affect other
4 provisions, clauses, or applications of this chapter which can
5 be given effect without the invalid provision or application,
6 and to this end the provisions and clauses of this chapter are
7 declared to be severable.

8 2. Notwithstanding any provision of law to the contrary, if
9 section 46.2A, subsection 2, as amended by this Act, is held
10 invalid, the appointed and elected commissioners currently
11 serving six-year terms on the state judicial nominating
12 commission on the effective date of this Act shall continue to
13 serve until the expiration of their six-year terms, in addition
14 to the new members appointed pursuant to section 46.2A, as
15 amended by this Act. Upon the expiration of the currently
16 serving commissioners or upon their office becoming vacant
17 prior to the expiration of their terms, the offices shall not
18 be filled.

19 3. Notwithstanding any provision of law to the contrary,
20 if any provision of this chapter is preliminarily enjoined,
21 no judicial nominating commission shall meet to nominate
22 persons to serve as a judge or justice while the preliminary
23 injunction is in effect or while any appeal of the preliminary
24 injunction or a related permanent injunction is pending unless
25 the injunction is subsequently stayed or otherwise lifted.>

26 23. Page 14, by striking lines 4 through 26 and inserting:
27 <Sec. ____ REPEAL. Section 602.11111, Code 2019, is
28 repealed.>

29 24. Page 15, lines 3 and 4, by striking <proper judicial
30 nominating commission> and inserting <governor>

31 25. Page 15, line 13, by striking <chairperson of the
32 district judicial nominating commission> and inserting
33 <governor>

34 26. Page 15, line 22, by striking <chairperson of the
35 district judicial nominating commission> and inserting

Page 11

1 <governor>

2 27. Page 17, lines 34 and 35, by striking <chairperson
3 of the proper district judicial nominating commission. The
4 chairperson> and inserting <governor. The governor>

5 28. Page 18, by striking line 2 and inserting <governor
6 fails to do so, the chief justice shall call such>

7 29. Page 18, line 15, after <commission> by inserting
8 <Nominees to the office of district associate judge must reside
9 in the judicial election district to which they are nominated
10 or in another judicial election district in the same judicial
11 district as the judicial election district to which they are
12 nominated.>

- 13 30. Page 21, lines 10 and 11, by striking <chairperson
 14 of the proper district judicial nominating commission. The
 15 chairperson> and inserting <governor. The governor>
 16 31. Page 21, by striking line 13 and inserting <the governor
 17 fails to do so, the chief justice shall call such>
 18 32. Page 21, line 26, after <commission> by inserting
 19 <Nominees to the office of full-time associate juvenile judge
 20 must reside in the judicial election district to which they are
 21 nominated or in another judicial election district in the same
 22 judicial district as the judicial election district to which
 23 they are nominated.>
 24 33. Page 24, lines 6 and 7, by striking <chairperson of
 25 the proper district judicial nominating commission. The
 26 chairperson> and inserting <governor. The governor>
 27 34. Page 24, by striking line 9 and inserting <the governor
 28 fails to do so, the chief justice shall call such>
 29 35. Page 24, line 22, after <commission> by inserting
 30 <Nominees to the office of full-time associate probate judge
 31 must reside in the judicial election district to which they are
 32 nominated or in another judicial election district in the same
 33 judicial district as the judicial election district to which
 34 they are nominated.>
 35 36. By renumbering, redesignating, and correcting internal

Page 12

- 1 references as necessary.

DAN DAWSON

S-3021

- 1 Amend Senate File 533 as follows:
 2 1. Page 1, by striking lines 1 through 4 and inserting:
 3 <Section 1. Section 123.3, Code 2019, is amended by adding
 4 the following new subsection:
 5 NEW SUBSECTION. 24A. "Institutional investor" means a
 6 person who maintains a>
 7 2. Page 2, line 1, by striking <manufacturer> and inserting
 8 <person>
 9 3. Page 3, line 14, after <premises> by inserting <to a
 10 licensee or permittee authorized under this chapter to sell
 11 beer at retail>
 12 4. By renumbering as necessary.

JAKE CHAPMAN

S-3022

- 1 Amend Senate File 346 as follows:
 2 1. Page 1, by striking line 5 and inserting <commits an
 3 aggravated misdemeanor.>

- 4 2. Page 1, line 20, after <minor> by inserting <within or>
- 5 3. Page 1, by striking line 23 and inserting <state, commits
- 6 an aggravated misdemeanor.>

AMY SINCLAIR

S-3023

- 1 Amend the amendment, S-3022, to Senate File 346 as follows:
- 2 1. Page 1, by striking lines 2 and 3.
- 3 2. Page 1, by striking lines 5 and 6.

JAKE CHAPMAN

S-3024

- 1 Amend Senate File 346 as follows:
- 2 1. Page 1, after line 23 by inserting:
- 3 <Sec. ____ EDUCATION CAMPAIGN — HEALTH RISKS AND
- 4 PROHIBITION — FEMALE GENITAL MUTILATION. The department
- 5 of public health and the department of human rights shall
- 6 collaboratively initiate an education campaign to increase
- 7 awareness regarding the health risks of, the prohibitions
- 8 against, and the criminal penalties associated with female
- 9 genital mutilation as specified in this Act.>

JANET PETERSEN

S-3025

- 1 Amend Senate File 237 as follows:
- 2 1. Page 1, after line 16 by inserting:
- 3 <3. The appointments made by the governor shall be subject
- 4 to approval by the senate by a two-thirds majority.>
- 5 2. Page 2, after line 15 by inserting:
- 6 <3. The appointments made by the legislative leaders shall
- 7 be subject to approval by the senate by a two-thirds majority.>
- 8 3. By renumbering, redesignating, and correcting internal
- 9 references as necessary.

ROBERT M. HOGG

S-3026

- 1 Amend the amendment, S-3020, to Senate File 237 as follows:
- 2 1. Page 10, by striking lines 18 through 25 and inserting
- 3 <be filled.>>

ROBERT M. HOGG

S-3027

- 1 Amend Senate File 331 as follows:
- 2 1. Page 1, line 18, by striking <1.>
- 3 2. Page 1, by striking lines 28 through 30.

JAKE CHAPMAN

S-3028

- 1 Amend House File 426, as passed by the House, as follows:
- 2 1. Page 1, line 18, before <An> by inserting <1.>
- 3 2. Page 1, after line 27 by inserting:
- 4 <2. The commissioner shall dedicate a minimum of two
- 5 insurance fraud bureau investigators to the investigation of
- 6 suspected workers' compensation fraud.>

JAKE CHAPMAN

S-3029

- 1 Amend Senate Joint Resolution 18 as follows:
- 2 1. By striking everything after the resolving clause and
- 3 inserting:
- 4 <Section 1. The following amendment to the Constitution of
- 5 the State of Iowa is proposed:
- 6 Article I of the Constitution of the State of Iowa is amended
- 7 by adding the following new section:
- 8 Sec. 1A. **Right to keep and bear arms.** A well regulated
- 9 Militia, being necessary to the security of a free State,
- 10 the right of the people to keep and bear Arms, shall not be
- 11 infringed.
- 12 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
- 13 amendment to the Constitution of the State of Iowa is referred
- 14 to the general assembly to be chosen at the next general
- 15 election for members of the general assembly, and shall be
- 16 published as provided by law for three consecutive months
- 17 previous to the date of that election.>

TONY BISIGNANO

S-3030

- 1 Amend Senate Joint Resolution 18 as follows:
- 2 1. Page 1, lines 8 and 9, by striking <Any and all
- 3 restrictions of this right shall be subject to strict
- 4 scrutiny.>

TONY BISIGNANO

S-3031

- 1 Amend Senate File 537 as follows:
- 2 1. Page 1, line 6, after <take.> by inserting <However,
- 3 no person shall use an infrared light source to hunt coyotes
- 4 during any established muzzleloader or shotgun deer hunting
- 5 season.>

NATE BOULTON

S-3032

- 1 Amend the amendment, S-3028, to House File 426, as passed by
- 2 the House, as follows:
- 3 1. Page 1, line 6, after <fraud> by inserting <based on
- 4 the volume of complaints filed, at the discretion of the
- 5 commissioner>

NATE BOULTON

S-3033

- 1 Amend Senate File 305 as follows:
- 2 1. Page 1, line 5, after <individual> by inserting <who is a
- 3 delinquent child support obligor>

JASON SCHULTZ

S-3034

- 1 Amend Senate File 583 as follows:
- 2 1. Page 2, after line 13 by inserting:
- 3 <(e) A private generation facility that is used with
- 4 livestock facilities or operations. For purposes of this
- 5 subparagraph division, “livestock” means the same as defined in
- 6 section 717.1.>

KEVIN KINNEY

S-3035

- 1 Amend Senate File 429 as follows:
- 2 1. Page 1, by striking lines 1 through 3 and inserting:
- 3 <Section 1. 2017 Iowa Acts, chapter 149, section 4, as
- 4 amended by 2018 Iowa Acts, chapter 1170, section 3, is amended
- 5 to read as follows:
- 6 SEC. 4. REPEAL. The section of this Act amending section
- 7 321.477 is repealed July 1, ~~2019~~ 2022.>

TIM L. KAPUCIAN

S-3036

1 Amend Senate File 512 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 35A.14, subsection 4, Code 2019, is
5 amended to read as follows:

6 4. Moneys appropriated to or received by the department for
7 providing injured veterans grants under this section may be
8 expended for grants of up to ten thousand dollars to a veteran
9 who is seriously injured or very seriously injured, as defined
10 in the most recently published United States department of
11 defense joint publication 1-02, to provide financial assistance
12 to the veteran so that family members of the veteran may be
13 with the veteran during the veteran's recovery from an injury
14 received in the line of duty ~~in a combat zone or in a zone where~~
15 ~~the veteran was receiving hazardous duty pay~~ after September
16 11, 2001.

17 Sec. 2. Section 35A.14, subsection 5, paragraph b, Code
18 2019, is amended to read as follows:

19 b. Proof of continued medical care or rehabilitation
20 services may include any reasonably reliable documentation
21 showing that the veteran is receiving continued medical or
22 rehabilitative care as a result of qualifying injuries. Proof
23 that the injury occurred in the line of duty shall be made
24 based upon the circumstances of the injury known at the time of
25 evacuation from the ~~combat zone or zone in which the veteran~~
26 ~~was receiving hazardous duty pay~~ place where the veteran was
27 injured.

28 Sec. 3. Section 35A.14, Code 2019, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 7. The department, the commission, and
31 the national guard shall collaborate on a report regarding the
32 sustainability of future funding for the injured veterans grant
33 program and shall submit their findings and recommendations in
34 a written report to the governor and the general assembly by
35 December 31, 2019.

Page 2

1 Sec. 4. Section 272C.4, Code 2019, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 12A. a. Establish procedures by January
4 1, 2020, to expedite the licensing of an individual who is
5 licensed in a similar profession or occupation in another state
6 and who is the spouse of an active duty member of the military
7 forces of the United States.

8 b. If the board determines that the professional or
9 occupational licensing requirements of the state where
10 the spouse is licensed are substantially equivalent to the
11 licensing requirements of this state, the procedures shall
12 require the expedited licensing of the spouse in this state.

13 c. If the board determines that the professional or
14 occupational licensing requirements of the state where the
15 spouse is licensed are not substantially equivalent to the
16 professional or occupational licensing requirements of this
17 state, the procedures shall allow the provisional licensing
18 of the spouse for a period of time deemed necessary by the
19 board to obtain a substantial equivalent to the licensing
20 requirements of this state. The board shall advise the
21 spouse of required education or training necessary to obtain
22 a substantial equivalent to the professional or occupational
23 licensing requirements of this state, and the procedures shall
24 provide for licensing of an individual who has, pursuant to
25 this paragraph, obtained a substantial equivalent to the
26 licensing requirements of this state.>

JIM CARLIN

S-3037

1 Amend Senate File 567 as follows:
2 1. Page 1, line 6, after <license.> by inserting <The board
3 may grant an exception for a person who would otherwise be
4 denied a license due to conviction of a felony that is violent
5 or sexual in nature, provided that there is an extenuating
6 circumstance that justifies the exemption.>
7 2. Page 2, line 15, after <license.> by inserting <The board
8 may grant an exception for a person who would otherwise be
9 denied a license due to conviction of a felony that is violent
10 or sexual in nature, provided that there is an extenuating
11 circumstance that justifies the exemption.>
12 3. Page 3, line 5, after <felony.> by inserting <Prior
13 to enrolling an inmate in an apprenticeship program, the
14 department of corrections shall receive written confirmation
15 from the appropriate licensing board that the inmate would be
16 able to receive a necessary license to practice the profession
17 to which the apprenticeship relates if it appears to the
18 department that the inmate may be disqualified from receiving
19 such a license.>

JIM CARLIN

S-3038

1 Amend Senate File 583 as follows:
2 1. Page 2, after line 13 by inserting:
3 <(e) A private generation facility that is used in a farm
4 operation as defined in section 352.2.>

KEVIN KINNEY

S-3039

1 Amend Senate File 583 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. **476.49 Net metering pilot**
5 **programs — report.**

6 Upon the completion of the three-year net metering pilot
7 programs approved by the board on May 4, 2017, applicable to
8 rate-regulated electric utilities, the board shall submit a
9 report summarizing its findings and recommendations regarding
10 such programs to the general assembly no later than December
11 31, 2020.>

12 2. Title page, by striking lines 1 and 2 and inserting <An
13 Act relating to certain net metering pilot programs applicable
14 to rate-regulated electric utilities.>

LIZ MATHIS
HERMAN C. QUIRMBACH

S-3040

1 Amend Senate File 583 as follows:

2 1. Page 2, line 17, by striking <subsection 5> and inserting
3 <subsection 4>

MICHAEL BREITBACH

S-3041

1 Amend Senate File 583 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. **476.49 Net metering pilot**
5 **programs — report.**

6 Upon the completion of the three-year net metering pilot
7 programs approved by the board on May 4, 2017, applicable to
8 rate-regulated electric utilities, the board shall submit a
9 report summarizing its findings and recommendations regarding
10 such programs to the general assembly no later than December
11 31, 2020.>

LIZ MATHIS
HERMAN C. QUIRMBACH

S-3042

1 Amend the Senate amendment, S-3017, to Senate File 538 as
2 follows:

3 1. Page 2, by striking line 1 and inserting <mentally unable
4 to fulfill the requirements of subsection 2.>

- 5 2. Page 2, by striking line 13.
6 3. Page 2, by striking lines 26 through 32 and inserting
7 <six-month period of eligibility, the individual's eligibility
8 for the program shall be terminated for the remainder of the
9 individual's benefit year. The department shall only terminate
10 an individual's eligibility thirty days after the individual
11 receives notice of the termination of benefits.>
12 4. By renumbering, redesignating, and correcting internal
13 references as necessary.

JEFF EDLER

S-3043

- 1 Amend Senate File 376 as follows:
2 1. Page 1, line 18, after <syndrome;> by inserting <dating
3 violence; affirmative, conscious, and voluntary consent to
4 engage in sexual activity;>
5 2. Page 1, line 34, after <development> by inserting
6 <,including dating violence; affirmative, conscious, and
7 voluntary consent to engage in sexual activity>
8 3. Title page, line 1, by striking <the health education
9 requirement> and inserting <certain human growth and
10 development and health education requirements>

LIZ MATHIS
HERMAN C. QUIRMBACH
NATE BOULTON
RICH TAYLOR
ZACH WAHLS
PAM JOCHUM
TODD TAYLOR
CLAIRE CELSI
AMANDA RAGAN
JANET PETERSEN
JOE BOLKCOM

S-3044

- 1 Amend the amendment, S-3017, to Senate File 538 as follows:
2 1. Page 2, after line 22 by inserting:
3 <3A. The waiver request shall require that, if the community
4 engagement activity in which an Iowa health and wellness plan
5 member participates constitutes employment, the member shall
6 provide the name and contact information of the member's
7 employer to the department, and the department shall compile
8 and publish a listing of such employers on the department's
9 internet site, on a quarterly basis. For the purposes of
10 compiling and publishing the information under this subsection,
11 "employer" means a person who employs fifty or more employees,
12 excluding part-time employees.>
13 2. By renumbering, redesignating, and correcting internal

14 references as necessary.

JOE BOLKCOM

S-3045

- 1 Amend Senate File 507 as follows:
- 2 1. Page 1, line 3, by striking <Personal> and inserting
- 3 <Unless there is a specific workplace factor increasing the
- 4 extent of injury, contributing to the cause of injury, or
- 5 increasing the likelihood of injury, personal>

NATE BOULTON

S-3046

- 1 Amend the amendment, S-3017, to Senate File 538 as follows:
- 2 1. Page 2, line 35, after <approval> by inserting <and
- 3 contingent upon the department verifying that there are no
- 4 outstanding participating Medicaid provider claims that have
- 5 not been paid in excess of one year from the date billed>

LIZ MATHIS
AMANDA RAGAN

S-3047

- 1 Amend Senate File 438 as follows:
- 2 1. Page 1, by striking lines 2 and 3 and inserting
- 3 <RESPONSIBILITIES AND REQUIREMENTS RELATING TO HEALTH>
- 4 2. Title page, by striking line 3 and inserting <schools,
- 5 area education agencies, community colleges, and board of
- 6 regents institutions.>

AMY SINCLAIR

S-3048

- 1 Amend Senate File 532 as follows:
- 2 1. Page 1, lines 6 and 7, by striking <or injury to person
- 3 or wrongful death>

JULIAN GARRETT

S-3049

- 1 Amend Senate File 438 as follows:
- 2 1. Page 1, by striking lines 2 and 3 and inserting
- 3 <RESPONSIBILITIES AND REQUIREMENTS RELATING TO HEALTH>
- 4 2. Page 5, line 9, by striking <A parent or guardian, or the
- 5 person> and inserting <The provider>

6 3. Page 5, line 11, by striking <levels> and inserting
 7 <levels>
 8 4. Page 7, after line 8 by inserting:
 9 <Sec. ____ EFFECTIVE DATE. The following take effect July
 10 1, 2020:
 11 1. The section of this division of this Act striking section
 12 135.17, subsection 3.
 13 2. The section of this division of this Act amending section
 14 135.39D, subsections 1 and 5.
 15 3. The section of this division of this Act amending section
 16 135.105D, subsection 2, paragraphs “a” and “b”.
 17 4. The section of this division of this Act amending section
 18 135.105D, subsection 3.>
 19 5. Page 9, by striking lines 25 and 26 and inserting:
 20 <Sec. ____ Section 279.60, subsection 2, Code 2019, is
 21 amended to read as follows:
 22 2. The school district shall also collect information from
 23 each parent, guardian, or legal custodian of a kindergarten
 24 student enrolled in the district, ~~including but not limited~~
 25 ~~to about~~ whether the student attended preschool, ~~factors~~
 26 ~~identified by the early childhood Iowa office pursuant~~
 27 ~~to section 256I.5, and other demographic factors.~~ Each
 28 school district shall report the results of ~~the community~~
 29 ~~strategies employed during the prior school year pursuant to~~
 30 ~~section 279.68, subsection 3, paragraph “a”~~, the assessment
 31 administered pursuant to subsection 1; and the preschool
 32 information collected to the department of education in the
 33 manner prescribed by the department not later than January
 34 1 of that school year. The early childhood Iowa office in
 35 the department of management shall have access to the raw

Page 2

1 data. The department shall review the information submitted
 2 pursuant to this section and shall submit its findings and
 3 recommendations annually in a report to the governor, the
 4 general assembly, the early childhood Iowa state board, and the
 5 early childhood Iowa area boards.>
 6 6. Title page, by striking line 3 and inserting <schools,
 7 area education agencies, community colleges, and board of
 8 regents institutions, and including effective date provisions.>
 9 7. By renumbering as necessary.

AMY SINCLAIR

S-3050

1 Amend Senate File 548 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 455B.291, Code 2019, is amended by
 4 adding the following new subsection:
 5 NEW SUBSECTION. 7A. “Private entity” means a corporation,

6 limited liability company, trust, estate, partnership,
7 association, or any other legal entity or a legal
8 representative, agent, officer, employee, or assignee of such
9 entity. “*Private entity*” does not include an individual,
10 municipality, city utility as defined in section 362.2, public
11 water supply system as defined in 455B.171, or a qualified
12 entity as defined in section 384.84.>
13 2. By renumbering as necessary.

DAN ZUMBACH

S-3051

1 Amend Senate File 528 as follows:
2 1. Page 5, line 10, after <property.> by inserting <An
3 operator shall conduct a search to determine whether there is a
4 security interest in property subject to sale if the property
5 is registered under chapter 321 or 462A.>
6 2. Page 6, by striking lines 18 and 19.

AMY SINCLAIR

S-3052

1 Amend Senate File 114 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 321.210D, Code 2019, is amended to read
5 as follows:
6 **321.210D Vehicular homicide suspension — termination upon**
7 **revocation of license — reopening of suspension.**
8 1. If a trial information or indictment is filed charging a
9 person with the offense of homicide by vehicle under section
10 707.6A, subsection 1, ~~or 2~~, or 3A, the clerk of the district
11 court shall, upon the filing of the information or indictment,
12 forward notice to the department including the name and address
13 of the party charged, the registration number of the vehicle
14 involved, if known, the nature of the offense, and the date of
15 the filing of the indictment or information.
16 2. Upon receiving notice from the clerk of the district
17 court that an indictment or information has been filed charging
18 an operator with homicide by vehicle under section 707.6A,
19 subsection 1, ~~or 2~~, or 3A, the department shall notify the
20 person that the person’s driver’s license will be suspended
21 effective ten days from the date of issuance of the notice.
22 The department shall adopt rules relating to the suspension of
23 the license of an operator pursuant to this section which shall
24 include, but are not limited to, procedures for the surrender
25 of the person’s license to the department upon the effective
26 date of the suspension.
27 3. If a person whose driver’s license has been suspended
28 pursuant to this section is not convicted of the charge of

29 homicide by vehicle under section 707.6A, subsection 1, ~~or 2,~~
30 ~~or 3A,~~ upon record entry of disposition of the charge, the
31 clerk of the district court shall forward a notice including
32 the name and address of the party charged, the registration
33 number of the vehicle involved, the nature of the offense
34 charged by indictment or information, the date of the filing
35 of the indictment or information, and of the disposition of

Page 2

1 the charge to the department. Upon receipt of the notice from
2 the clerk, the department shall automatically rescind the
3 suspension and reinstate the person's driver's license without
4 payment of any charge or penalty.

5 4. Upon receiving a record of conviction under section
6 321.206, for a violation of section 707.6A, subsection 1,
7 ~~or 2, or 3A,~~ and upon revocation of the person's license or
8 operating privileges under section 321.209, the suspension
9 under subsection 2 shall automatically terminate in favor of
10 the revocation.

11 Sec. 2. Section 321.555, subsection 1, paragraph h, Code
12 2019, is amended to read as follows:

13 h. Serious injury by a vehicle in violation of section
14 707.6A, subsection 4 or 4A.

15 Sec. 3. Section 707.6A, Code 2019, is amended by adding the
16 following new subsections:

17 **NEW SUBSECTION. 3A.** A person commits a class "D" felony
18 when the person unintentionally causes the death of another
19 by exceeding a speed limit established or posted pursuant to
20 section 262.68, section 321.236, subsection 5 or 11, section
21 321.236, subsection 13, paragraph "a", section 321.285, section
22 321.288, subsection 2, paragraph "f", or section 321.289,
23 321.290, 321.293, 321.295, 350.5, or 461A.36, by twenty-five
24 miles per hour or more. However, if the offense is a person's
25 second or subsequent offense under this subsection, the person
26 commits a class "C" felony. This subsection does not apply to
27 a member of a public safety agency, as defined in section 34.1,
28 performing official duties.

29 **NEW SUBSECTION. 4A.** A person commits an aggravated
30 misdemeanor when the person unintentionally causes a serious
31 injury, as defined in section 702.18, by the means described in
32 subsection 3A. This subsection does not apply to a member of a
33 public safety agency, as defined in section 34.1, performing
34 official duties.

35 Sec. 4. Section 707.6A, subsection 7, Code 2019, is amended

Page 3

1 to read as follows:

2 7. ~~Notwithstanding the provisions of~~ In accordance with
3 sections 901.5 and 907.3, the court shall not defer judgment or
4 sentencing, or suspend execution of any part of the sentence

5 applicable to the defendant, ~~for a~~ any of the following:

6 a. A violation of subsection 1, ~~or for a,~~

7 b. A second or subsequent violation of subsection 3A.

8 c. A violation of subsection 4 involving the operation of a
9 motor vehicle while intoxicated.

10 Sec. 5. Section 902.12, subsection 1, paragraph f, Code
11 2019, is amended to read as follows:

12 f. Vehicular homicide in violation of section 707.6A,
13 subsection 1, ~~or 2, or 3A,~~ if the person was also convicted
14 under section 321.261, subsection 4, based on the same facts
15 or event that resulted in the conviction under section 707.6A,
16 subsection 1, ~~or 2, or 3A.~~

17 Sec. 6. Section 907.3, subsection 1, paragraph a,
18 subparagraph (10), Code 2019, is amended by striking the
19 subparagraph and inserting in lieu thereof the following:

20 (10) The offense is a violation of section 707.6A,
21 subsection 1.

22 Sec. 7. Section 907.3, subsection 1, paragraph a, Code 2019,
23 is amended by adding the following new subparagraphs:

24 NEW SUBPARAGRAPH. (011) The offense is a second or
25 subsequent violation of section 707.6A, subsection 3A.

26 NEW SUBPARAGRAPH. (0011) The offense is a violation of
27 section 707.6A, subsection 4, involving operation of a motor
28 vehicle while intoxicated.

29 Sec. 8. Section 907.3, subsection 2, paragraph a,
30 subparagraph (6), Code 2019, is amended by striking the
31 subparagraph and inserting in lieu thereof the following:

32 (6) Section 707.6A, subsection 1.

33 Sec. 9. Section 907.3, subsection 2, paragraph a, Code 2019,
34 is amended by adding the following new subparagraphs:

35 NEW SUBPARAGRAPH. (07) A second or subsequent violation of

Page 4

1 section 707.6A, subsection 3A.

2 NEW SUBPARAGRAPH. (007) Section 707.6A, subsection 4,
3 involving operation of a motor vehicle while intoxicated.

4 Sec. 10. Section 907.3, subsection 3, paragraph d, Code
5 2019, is amended by striking the paragraph and inserting in
6 lieu thereof the following:

7 d. A sentence imposed pursuant to section 707.6A, subsection
8 1.

9 Sec. 11. Section 907.3, subsection 3, Code 2019, is amended
10 by adding the following new paragraphs:

11 NEW PARAGRAPH. 0e. A sentence imposed for a second or
12 subsequent violation of section 707.6A, subsection 3A.

13 NEW PARAGRAPH. 00e. A sentence imposed pursuant to section
14 707.6A, subsection 4, involving operation of a motor vehicle

- 15 while intoxicated.>
16 2. Title page, lines 1 and 2, by striking <the death of a
17 person> and inserting <death or serious injury>

JASON SCHULTZ

S-3053

- 1 Amend Senate File 556 as follows:
2 1. Page 31, after line 4 by inserting:
3 <Sec. ____ EFFECTIVE DATE. This Act, being deemed of
4 immediate importance, takes effect upon enactment.>
5 2. Title page, line 4, after <applicability> by inserting
6 <and effective date>
7 3. By renumbering as necessary.

ZACH NUNN

S-3054

- 1 Amend Senate File 570 as follows:
2 1. By striking page 1, line 30, through page 2, line 1, and
3 inserting:
4 <(2) An individual who is affiliated with a recognized
5 voluntary or nonprofit organization, who may or may not have
6 formal training, and who is invited by that organization
7 to become involved, without compensation, in the disaster
8 response.>

ANNETTE SWEENEY

S-3055

- 1 Amend the amendment, S-3049, to Senate File 438 as follows:
2 1. Page 1, after line 3 by inserting:
3 <____. Page 2, after line 28 by inserting:
4 Sec. ____ Section 135.11, Code 2019, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 30. Collect and maintain information
7 submitted relating to dental screenings in accordance with
8 section 135.17, subsection 1, paragraph “b”, vision screenings
9 in accordance with section 135.39D, subsection 1, and blood
10 lead testing in accordance with section 135.105D, subsection 2,
11 paragraph “a”. Upon request of a school district or accredited
12 nonpublic school, and if the parent or guardian of a student
13 provides written consent authorizing the department to send
14 such information collected on the student pursuant to this
15 subsection, the department shall provide to the school district
16 or accredited nonpublic school a list of children enrolled
17 in the school district or accredited nonpublic school, as
18 appropriate, who have had dental and vision screenings and

- 19 blood lead testing.>>
20 2. By renumbering as necessary.

CHRIS COURNOYER

S-3056

- 1 Amend Senate File 158 as follows:
2 1. Page 2, line 6, by striking <containing the> and
3 inserting <containing any>
4 2. Page 2, line 7, after <in> by inserting <an>
5 3. Page 2, line 8, before <application> by inserting <court
6 file containing any previous>
7 4. Page 2, line 9, before <application> by inserting <court
8 file containing any previous>
9 5. Page 2, after line 11 by inserting:
10 <Sec. ____ NEW SECTION. **822.6C Associated costs.**
11 Costs shall not be charged to the applicant, the applicant's
12 attorney, the county attorney, or the attorney general
13 for converting a court file to an electronic format or for
14 otherwise providing access to a court file under this chapter.>
15 6. By renumbering as necessary.

DAN DAWSON

S-3057

- 1 Amend Senate File 570 as follows:
2 1. Page 2, line 18, after <property.> by inserting <In the
3 absence of express consent from the owner, lessee, or person in
4 lawful possession of the property, a volunteer shall enter upon
5 or in the property only after receiving express consent from
6 any of the following:>
7 2. Page 2, before line 19 by inserting:
8 <(1) An agent of a federal law enforcement agency.
9 (2) An agent of a federal, state, or local emergency
10 management agency.
11 (3) A peace officer.
12 (4) A member of the state military called into state active
13 duty pursuant to section 29A.8, subsection 1, paragraph "c".
14 (5) A city, county, or local official.>
15 3. Page 3, by striking lines 2 through 14.

ROBERT M. HOGG

S-3058

- 1 Amend Senate File 561 as follows:
2 1. Page 1, line 23, after <individual> by inserting <in
3 relation to the individual's employment>

- 4 2. Page 2, by striking line 1 and inserting <safety of the
5 individual, coworkers, or the general public.>

JAKE CHAPMAN

S-3059

1 Amend Senate File 548 as follows:

- 2 1. Page 1, line 17, after <government> by inserting <except
3 that nonpoint source water pollution control projects may
4 include the acquisition of land that has not been in active
5 agricultural production during the ten-year period immediately
6 preceding the acquisition>
7 2. Page 2, line 8, after <2019> by inserting <, or to
8 finance, subsidize, or acquire land that has not been in active
9 agricultural production during the ten-year period immediately
10 preceding the acquisition>

NATE BOULTON
KEVIN KINNEY

S-3060

1 Amend Senate File 548 as follows:

- 2 1. Page 1, line 17, after <government> by inserting <except
3 that nonpoint source water pollution control projects may
4 include the acquisition of land that is part of a watershed
5 demonstration project receiving funds under the water quality
6 initiative established in chapter 466B, subchapter IV>
7 2. Page 2, line 8, after <2019> by inserting <or to
8 finance, subsidize, or acquire land that is part of a watershed
9 demonstration project receiving funds under the water quality
10 initiative established in chapter 466B, subchapter IV>

ROBERT M. HOGG

S-3061

1 Amend Senate File 548 as follows:

- 2 1. Page 1, line 17, after <government> by inserting
3 <except that nonpoint source water pollution control projects
4 may include the acquisition of land that has been zoned for
5 commercial or residential development>
6 2. Page 2, line 8, after <2019> by inserting <or to finance,
7 subsidize, or acquire land that has been zoned for commercial
8 or residential development>

ROBERT M. HOGG

S-3062

- 1 Amend Senate File 548 as follows:
2 1. Page 1, line 17, after <subdivision> by inserting <other
3 than a county conservation board>

ROBERT M. HOGG

S-3063

- 1 Amend Senate File 548 as follows:
2 1. Page 1, line 17, after <government> by inserting
3 <except that nonpoint source water pollution control projects
4 may include the acquisition of land that is transferred
5 to a government entity that uses the land to provide flood
6 mitigation>
7 2. Page 2, line 8, after <2019> by inserting <. or to
8 finance, subsidize, or acquire land that is transferred
9 to a government entity that uses the land to provide flood
10 mitigation>

ROBERT M. HOGG

S-3064

- 1 Amend Senate File 548 as follows:
2 1. Page 1, line 17, after <government> by inserting <except
3 that nonpoint source water pollution control projects may
4 include the acquisition of land that is transferred to a
5 government entity that uses the land to provide access for
6 public hunting or fishing>
7 2. Page 2, line 8, after <2019> by inserting <. or to
8 finance, subsidize, or acquire land that is transferred to a
9 government entity that uses the land to provide access for
10 public hunting or fishing>

ROBERT M. HOGG

S-3065

- 1 Amend Senate File 548 as follows:
2 1. Page 1, line 17, after <government> by inserting <except
3 that nonpoint source water pollution control projects may
4 include the acquisition of land that is transferred to a
5 government entity that uses the land to provide grazing land
6 for livestock>
7 2. Page 2, line 8, after <2019> by inserting <. or to

8 finance, subsidize, or acquire land that is transferred to a
9 government entity that uses the land to provide grazing land
10 for livestock>

ROBERT M. HOGG

S-3066

1 Amend Senate File 581 as follows:
2 1. Page 1, after line 8 by inserting:
3 <Sec. ____ Section 542.3, subsection 20, Code 2019, is
4 amended to read as follows:
5 20. "*Peer review records*" means a file, report, or other
6 information relating to the professional competence of
7 an applicant in the possession of a peer review team, or
8 information concerning the peer review developed by a peer
9 review team in the possession of an applicant. "*Peer review*
10 *records*" includes peer review reports.
11 Sec. ____ Section 542.3, Code 2019, is amended by adding the
12 following new subsection:
13 NEW SUBSECTION. 20A. "*Peer review reports*" means a study,
14 appraisal, or review of one or more aspects of a certified
15 public accounting firm's compliance with applicable accounting,
16 auditing, and other attestation standards adopted by generally
17 recognized standard-setting bodies.>
18 2. Page 2, line 13, by striking <records> and inserting
19 <reports>
20 3. By renumbering as necessary.

RANDY FEENSTRA

S-3067

1 Amend Senate File 334 as follows:
2 1. Page 1, by striking lines 26 and 27 and inserting:
3 <3. The department may contract with a third-party
4 vendor to provide any or all of the information specified
5 in subsection 1. Specifically, the department may contract
6 with a third-party consumer reporting agency, as defined by
7 the federal Fair Credit Reporting Act, 15 U.S.C. §1681a, for
8 the purpose of obtaining real-time employment and income
9 information as specified in subsection 1. Such>
10 2. Page 2, by striking lines 12 and 13 and inserting:
11 <1. The department of human services shall implement a
12 real-time eligibility system that allows the department to
13 obtain and review all of the following information and>
14 3. Page 2, by striking lines 31 and 32 and inserting:
15 <3. The department may contract with a third-party
16 vendor to provide any or all of the information specified
17 in subsection 1. Specifically, the department may contract
18 with a third-party consumer reporting agency, as defined by
19 the federal Fair Credit Reporting Act, 15 U.S.C. §1681a, for

20 the purpose of obtaining real-time employment and income
21 information as specified in subsection 1. Such>
22 4. By striking page 4, line 35, through page 5, line 1, and
23 inserting:
24 <7. For the purposes of this section:
25 a. "Public assistance program" shall include but is not
26 limited to Medicaid, the>
27 5. Page 5, after line 3 by inserting:
28 <b. "Real-time eligibility system" means an electronic,
29 on-demand system that allows verification of all applicable
30 public assistance program eligibility information based on the
31 most recent information available to the department through
32 memoranda of understanding, contracts, or other necessary
33 agreements.>
34 6. Page 5, line 35, by striking <2020> and inserting <2021>

JASON SCHULTZ

S-3068

1 Amend Senate File 64 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 29C.17A, subsection 3, Code 2019, is
5 amended to read as follows:
6 3. Information disseminated to the public through the mass
7 notification and emergency messaging system shall be limited
8 to imminent emergency and public safety-related issues. For
9 purposes of this section, a "public safety-related issue"
10 includes the circumstances described in subsection 3A. The
11 department may provide access to the system for use at the
12 county and local level. Access by a county or local government
13 shall be at the department's sole discretion, and if approved
14 by the department, shall be under the control of the local
15 commission. The commission shall establish an operational plan
16 and procedure which meets standards adopted by the department
17 by rule, and shall submit the operational plan and procedure
18 for approval by the department prior to access being granted.
19 Additional access criteria and procedures for administering the
20 fund shall be established by the department by rule.
21 Sec. 2. Section 29C.17A, Code 2019, is amended by adding the
22 following new subsection:
23 NEW SUBSECTION. 3A. The department shall adopt rules to
24 utilize the mass notification and emergency messaging system to
25 notify the public about an endangered missing person, together
26 with information that could assist in locating and providing
27 help to such a person. For purposes of this subsection,
28 "*endangered missing person*" means a person of any age who
29 is missing, who may be in danger due to the person's age or
30 physical or mental health or due to severe weather conditions,
31 and who may be unable to return to safety without assistance.
32 "*Endangered missing person*" includes, without limitation, a

33 veteran as defined in section 35.1 or an active duty member of
34 the armed forces of the United States, a member of a reserve
35 component thereof, or a member of the national guard, who has

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1 a physical or mental health condition related to the military
2 service of the veteran or member and who may be missing as a
3 result of that condition.>
4 2. Title page, by striking lines 1 and 2 and inserting <An
5 Act relating to the use of a mass notification and emergency
6 messaging system for endangered missing persons.>

MARK LOFGREN

S-3069

1 Amend Senate File 364 as follows:
2 1. Page 1, by striking line 17 and inserting <901D.7. The
3 participating law enforcement agency shall notify the>
4 2. Page 2, after line 22 by inserting:
5 <Sec. ____ 2017 Iowa Acts, chapter 76, section 17, is
6 amended to read as follows:
7 SEC. 17. FUTURE REPEAL. This division of this Act is
8 repealed July 1, ~~2022~~ 2024.>

DAN DAWSON

S-3070

1 Amend Senate File 478 as follows:
2 1. Page 2, line 30, by striking <may> and inserting <shall>
3 2. Page 3, line 1, by striking <may> and inserting <shall>
4 3. Title page, line 2, by striking <vehicles> and inserting
5 <vehicles, and making penalties applicable>

TOM SHIPLEY

S-3071

1 Amend Senate File 368 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 335.3, Code 2019, is amended to read as
5 follows:
6 **335.3 Powers.**
7 1. Subject to section 335.2, the board of supervisors
8 may by ordinance regulate and restrict the height, number of
9 structures, and size of buildings and other structures, the
10 percentage of lot that may be occupied, the size of yards,
11 courts, and other open spaces, the density of population,
12 and the location and use of buildings, structures, and land

13 for trade, industry, residence, or other purposes, and may
14 regulate, restrict, and prohibit the use for residential
15 purposes of tents, trailers, and portable or potentially
16 portable structures. However, such powers shall be exercised
17 only with reference to land and structures located within the
18 county but lying outside of the corporate limits of any city.
19 2. When there is a replacement of a preexisting
20 manufactured, modular, or mobile home with another
21 manufactured, modular, or mobile home containing no more than
22 the original number of dwelling units, or a replacement of
23 a preexisting site-built dwelling unit with a manufactured,
24 modular, or mobile home or site-built dwelling unit, within a
25 manufactured home community or a mobile home park, the board
26 of supervisors shall not adopt or enforce any ordinance,
27 regulation, or restriction that would prevent the continuance
28 of the property owner's lawful nonconforming use that had
29 existed relating to the preexisting home unless any of the
30 following apply:
31 a. A discontinuance is necessary for the safety of life or
32 property.
33 b. The nonconforming use has been discontinued for
34 the period of time established by ordinance, unless such
35 discontinuance is caused by circumstances outside the control

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1 of the property owner. The period of time so established shall
2 be not less than one year.
3 c. The replacement results in the overall nature and
4 character of the present use being substantially or entirely
5 different from the original lawful preexisting nonconforming
6 use.
7 d. The replacement results in an obstruction to a shared
8 driveway or shared sidewalk providing vehicular or pedestrian
9 access to other homes and uses unless the property owner
10 makes modifications to such shared driveway or sidewalk
11 that extinguishes such obstruction or the effects of such
12 obstruction.
13 Sec. 2. Section 414.1, subsection 1, Code 2019, is amended
14 by adding the following new paragraph:
15 NEW PARAGRAPH. c. When there is a replacement of a
16 preexisting manufactured, modular, or mobile home with another
17 manufactured, modular, or mobile home containing no more than
18 the original number of dwelling units, or a replacement of
19 a preexisting site-built dwelling unit with a manufactured,
20 modular, or mobile home or site-built dwelling unit, within a
21 manufactured home community or a mobile home park, the city
22 shall not adopt or enforce any ordinance, regulation, or
23 restriction that would prevent the continuance of the property
24 owner's lawful nonconforming use that had existed relating to
25 the preexisting home unless any of the following apply:
26 (1) A discontinuance is necessary for the safety of life or

27 property.

28 (2) The nonconforming use has been discontinued for
29 the period of time established by ordinance, unless such
30 discontinuance is caused by circumstances outside the control
31 of the property owner. The period of time so established shall
32 be not less than one year.

33 (3) The replacement results in the overall nature and
34 character of the present use being substantially or entirely
35 different from the original lawful preexisting nonconforming

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1 use.

2 (4) The replacement results in an obstruction to a shared
3 driveway or shared sidewalk providing vehicular or pedestrian
4 access to other homes and uses unless the property owner
5 makes modifications to such shared driveway or sidewalk
6 that extinguishes such obstruction or the effects of such
7 obstruction.>

8 2. Title page, by striking lines 1 and 2 and inserting
9 <An Act relating to the continuance of lawful preexisting
10 nonconforming uses by manufactured, modular, and mobile homes
11 and site-built dwelling units.>

JAKE CHAPMAN

S-3073

1 Amend Senate File 523 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 707.8, subsections 1, 2, 3, and 4, Code
5 2019, are amended to read as follows:

6 1. A person who terminates a human pregnancy without the
7 consent of the pregnant person during the commission of a
8 forcible felony is guilty of a class "~~B~~" "A" felony.

9 2. A person who terminates a human pregnancy without
10 the consent of the pregnant person during the commission of
11 a felony or felonious assault is guilty of a class "~~C~~" "A"
12 felony.

13 3. A person who intentionally terminates a human pregnancy
14 without the knowledge and voluntary consent of the pregnant
15 person is guilty of a class "~~C~~" "B" felony.

16 4. A person who unintentionally terminates a human
17 pregnancy by any of the means provided pursuant to section
18 707.6A, subsection 1, is guilty of a class "~~C~~" "B" felony.>

JAKE CHAPMAN

S-3074

- 1 Amend Senate File 394 as follows:
- 2 1. Page 1, line 15, by striking <required under> and
- 3 inserting <being used by the school district or accredited
- 4 nonpublic school to meet the requirements of>
- 5 2. Page 1, line 17, by striking <in either case,>
- 6 3. Page 1, line 18, after <nonpublic school> by inserting
- 7 <to meet the requirements of section 256.11, subsection 5>

JEFF EDLER

S-3075

- 1 Amend Senate File 343 as follows:
- 2 1. Page 1, by striking lines 1 through 12 and inserting:
- 3 <Section 1. **NEW SECTION. 321.492C Use of automated or**
- 4 **remote systems for traffic law enforcement prohibited — sharing**
- 5 **related information prohibited.**
- 6 1. The state or a political subdivision of the state shall
- 7 not place or cause to be placed on or adjacent to a highway, or
- 8 maintain or employ the use of, any automated or remote system
- 9 for traffic law enforcement.
- 10 2. The department and the department of public safety shall
- 11 not share or provide information used to impose or collect a
- 12 civil penalty that results from a violation captured by an
- 13 automated or remote system for traffic law enforcement through
- 14 any existing interstate compact that does not specifically
- 15 allow or require information to be shared or provided for that
- 16 explicit purpose.
- 17 3. For purposes of this section, *“automated or remote system*
- 18 *for traffic law enforcement”* means a camera or other optical
- 19 device designed to work in conjunction with an official traffic
- 20 control signal or speed measuring device to identify motor
- 21 vehicles operating in violation of traffic laws, the use of
- 22 which results in the issuance of citations sent through the
- 23 mail or by electronic means.>
- 24 2. Title page, line 2, after <enforcement,> by inserting
- 25 <including prohibiting the sharing of related information and>

JAKE CHAPMAN

S-3076

- 1 Amend Senate File 446 as follows:
- 2 1. By striking page 1, line 26, through page 2, line 17.
- 3 2. Title page, by striking lines 1 through 4 and inserting
- 4 <An Act relating to the reporting of certain gifts and bequests
- 5 received by the executive branch.>

ROBY SMITH

S-3077

1 Amend Senate File 523 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 Section 1. Section 707.8, Code 2019, is amended to read as
5 follows:

6 **707.8 Nonconsensual ~~termination~~ cause of death — serious**
7 **injury to a human pregnancy an unborn person.**

8 1. A person who ~~terminates a human pregnancy~~ causes the
9 death of an unborn person without the consent of the pregnant
10 person during the commission of a forcible felony is guilty of
11 a class “~~B~~” “A” felony.

12 2. A person who ~~terminates a human pregnancy~~ causes the
13 death of an unborn person without the consent of the pregnant
14 person during the commission of a felony or felonious assault
15 is guilty of a class “~~C~~” “A” felony.

16 3. A person who intentionally ~~terminates a human pregnancy~~
17 causes the death of an unborn person without the knowledge and
18 voluntary consent of the pregnant person is guilty of a class
19 “~~C~~” “B” felony.

20 4. A person who unintentionally ~~terminates a human~~
21 pregnancy causes the death of an unborn person by any of the
22 means provided pursuant to section 707.6A, subsection 1, is
23 guilty of a class “~~C~~” “B” felony.

24 5. A person who by force or intimidation procures the
25 consent of the pregnant person to a ~~termination of a human~~
26 pregnancy causes the death of an unborn person is guilty of a
27 class “C” felony.

28 6. A person who unintentionally ~~terminates a human~~
29 pregnancy causes the death of an unborn person while drag
30 racing in violation of section 321.278 is guilty of a class “D”
31 felony.

32 7. A person who unintentionally ~~terminates a human~~
33 pregnancy causes the death of an unborn person without the
34 knowledge and voluntary consent of the pregnant person by
35 the commission of an act in a manner likely to cause the

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1 ~~termination~~ death of or serious injury to a ~~human pregnancy an~~
2 unborn person is guilty of an aggravated misdemeanor.

3 8. A person commits an aggravated misdemeanor when the
4 person intentionally causes serious injury to a ~~human pregnancy~~
5 an unborn person by the commission of an act in a manner likely
6 to cause the ~~termination~~ death of or serious injury to a ~~human~~
7 pregnancy an unborn person.

8 9. A person commits an aggravated misdemeanor when the
9 person unintentionally causes serious injury to a ~~human~~
10 pregnancy an unborn person by any of the means described in
11 section 707.6A, subsection 1.

12 10. A person commits a serious misdemeanor when the person

13 unintentionally causes serious injury to ~~a human pregnancy an~~
 14 ~~unborn person~~ by the commission of an act in a manner likely to
 15 cause the ~~termination death~~ of or serious injury to the ~~human~~
 16 ~~pregnancy unborn person~~.

17 11. For the purposes of this section "*serious injury to a*
 18 *human pregnancy*" *an unborn person*" means, relative to the ~~human~~
 19 ~~pregnancy unborn person~~, disabling mental illness, or bodily
 20 injury which creates a substantial risk of death or which
 21 causes serious permanent disfigurement, or protracted loss or
 22 impairment of the function of any bodily member or organ, and
 23 includes but is not limited to skull fractures, rib fractures,
 24 and metaphyseal fractures of the long bones.

25 12. As used in this section, actions which cause the
 26 ~~termination death~~ of or serious injury to ~~a pregnancy an unborn~~
 27 ~~person~~ do not apply to any of the following:

28 a. An act or omission of the pregnant person.
 29 b. A ~~termination death~~ of or a serious injury to ~~a pregnancy~~
 30 ~~an unborn person~~ which is caused by the performance of an
 31 approved medical procedure performed by a person licensed in
 32 this state to practice medicine and surgery or osteopathic
 33 medicine and surgery, irrespective of the duration of the
 34 pregnancy and with or without the voluntary consent of the
 35 pregnant person when circumstances preclude the pregnant person

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1 from providing consent.
 2 c. An act committed in self-defense or in defense of another
 3 person or any other act committed if legally justified or
 4 excused.

5 13. As used in this section, "unborn person" means
 6 an individual organism of the species homo sapiens from
 7 fertilization to live birth.>

8 2. Title page, line 1, by striking <termination> and
 9 inserting <cause of death>

10 3. Title page, line 2, by striking <a human pregnancy> and
 11 inserting <an unborn person>

JAKE CHAPMAN

S-3078

1 Amend Senate File 159 as follows:
 2 1. Page 2, by striking lines 2 through 7 and inserting:
 3 <(i) Scores required for similar tests in all of the states
 4 contiguous to Iowa.
 5 (ii) The supply and demand imbalance of content areas or>
 6 2. Page 3, line 22, after <teacher.> by inserting <For
 7 purposes of this subsection, "good-faith effort" means the same
 8 as defined in section 279.19A, subsection 9.>

CRAIG JOHNSON

S-3079

- 1 Amend Senate File 513 as follows:
2 1. Page 4, line 9, by striking <providing> and inserting <,
3 provided that>

MARIANNETTE MILLER-MEEKS

S-3080

- 1 Amend Senate File 334 as follows:
2 1. Page 1, by striking lines 26 and 27 and inserting:
3 <3. The department may contract with a third-party
4 vendor to provide any or all of the information specified
5 in subsection 1. Specifically, the department may contract
6 with a third-party consumer reporting agency, as defined by
7 the federal Fair Credit Reporting Act, 15 U.S.C. §1681a, for
8 the purpose of obtaining real-time employment and income
9 information as specified in subsection 1. Such>
10 2. Page 2, by striking lines 12 and 13 and inserting:
11 <1. The department of human services shall implement a
12 real-time eligibility system that allows the department to
13 obtain and review all of the following information and>
14 3. Page 2, by striking lines 31 and 32 and inserting:
15 <3. The department may contract with a third-party
16 vendor to provide any or all of the information specified
17 in subsection 1. Specifically, the department may contract
18 with a third-party consumer reporting agency, as defined by
19 the federal Fair Credit Reporting Act, 15 U.S.C. §1681a, for
20 the purpose of obtaining real-time employment and income
21 information as specified in subsection 1. Such>
22 4. By striking page 4, line 35, through page 5, line 1, and
23 inserting:
24 <7. For the purposes of this section:
25 a. "Public assistance program" shall include but is not
26 limited to Medicaid, the>
27 5. Page 5, after line 3 by inserting:
28 <b. "Real-time eligibility system" means an electronic,
29 on-demand system that allows verification of all applicable
30 public assistance program eligibility information based on the
31 most recent information available to the department through
32 memoranda of understanding, contracts, or other necessary
33 agreements.>
34 6. Page 5, line 13, by striking <2020> and inserting <2022>
35 7. Page 5, by striking lines 17 through 19 and inserting

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- 1 <assistance programs as provided in this Act. The reports

2 shall>

3 8. Page 5, line 35, by striking <2020> and inserting <2021>

JASON SCHULTZ

S-3081

1 Amend Senate File 526 as follows:

2 1. Page 1, lines 24 and 25, by striking <Iowa state patrol>
3 and inserting <department of public safety>

4 2. Page 2, lines 3 and 4, by striking <Iowa state patrol>
5 and inserting <department of public safety>

6 3. Page 2, line 9, by striking <Iowa state patrol> and
7 inserting <department of public safety>

8 4. Page 2, line 14, by striking <Iowa state patrol> and
9 inserting <department of public safety>

10 5. Page 2, line 29, by striking <communications officer of
11 the state patrol> and inserting <bureau chief of the department
12 of public safety communications bureau>

13 6. Page 2, line 34, by striking <Iowa state patrol> and
14 inserting <department of public safety>

15 7. Page 3, line 17, by striking <alert.> and inserting
16 <alert, provided the entity or individual acts reasonably and
17 in good faith.>

DAN DAWSON

S-3082

1 Amend Senate File 475 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 9B.1, Code 2019, is amended to read as
5 follows:

6 **9B.1 Short title.**

7 This chapter may be cited as the *“Revised Uniform Law on
8 Notarial ~~Acts~~” Acts (2018)*”.

9 Sec. 2. Section 9B.2, subsection 10, paragraph b, Code 2019,
10 is amended to read as follows:

11 *b. “~~Personal~~ Except as provided in section 9B.14A, “personal
12 appearance”* does not include appearances which require video,
13 optical, or technology with similar capabilities.

14 Sec. 3. Section 9B.2, Code 2019, is amended by adding the
15 following new subsections:

16 **NEW SUBSECTION.** 4A. *“Instrument affecting real property”*
17 means a written instrument conveying or encumbering real
18 property including an instrument affecting real estate as
19 defined in section 558.1 or any similar instrument provided in
20 chapter 558.

21 **NEW SUBSECTION.** 11A. *“Remote facilitator”* means a person
22 who participates in performing a notarial act under section
23 9B.14A, by doing any of the following:

24 a. Providing communication technology used by a public
25 notary or remotely located individual.
26 b. Creating, transmitting, or retaining audio-visual
27 recordings on behalf of a notary public.
28 Sec. 4. Section 9B.4, Code 2019, is amended by adding the
29 following new subsection:
30 **NEW SUBSECTION. 2A.** A notarial officer may certify that a
31 tangible copy of an electronic record is an accurate copy of
32 the electronic record as provided in section 9B.14A.
33 Sec. 5. Section 9B.6, Code 2019, is amended to read as
34 follows:
35 **9B.6 Personal appearance required.**

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1 1. If a notarial act relates to a statement made in or
2 a signature executed on a record, the individual making the
3 statement or executing the signature shall appear personally
4 before the notarial officer.
5 2. This section is satisfied by a remotely located
6 individual using communication technology to appear before a
7 notary public as provided in section 9B.14A.
8 Sec. 6. **NEW SECTION. 9B.14A Notarial act performed for**
9 **remotely located individual.**
10 1. As used in this section unless the context otherwise
11 requires:
12 a. *"Communication technology"* means an electronic device or
13 process that does all of the following:
14 (1) Allows a notary public and a remotely located individual
15 to communicate with each other simultaneously by sight and
16 sound.
17 (2) When necessary and consistent with other applicable
18 law, facilitates communication with a remotely located
19 individual who has a vision, hearing, or speech impairment.
20 b. *"Foreign state"* means a jurisdiction other than the
21 United States, a state, or a federally recognized Indian tribe.
22 c. *"Identity proofing"* means a process or service by which
23 a third person provides a notary public with a means to verify
24 the identity of a remotely located individual by a review of
25 personal information from public or private data sources.
26 d. *"Outside the United States"* means a location outside
27 the geographic boundaries of the United States, Puerto Rico,
28 the United States Virgin Islands, and any territory, insular
29 possession, or other location subject to the jurisdiction of
30 the United States.
31 e. *"Remotely located individual"* means an individual who is
32 not in the physical presence of the notary public who performs
33 a notarial act under subsection 3.
34 2. A remotely located individual may comply with section
35 9B.6 by using communication technology to appear before a

Page 3

1 notary public.
2 3. A notary public located in this state may perform a
3 notarial act using communication technology for a remotely
4 located individual if all of the following applies:
5 a. The notary public has any of the following:
6 (1) Personal knowledge under section 9B.7, subsection 1, of
7 the identity of the individual.
8 (2) Satisfactory evidence of the identity of the remotely
9 located individual by oath or affirmation from a credible
10 witness appearing before the notary public under section 9B.7,
11 subsection 2, or this section.
12 (3) Obtained satisfactory evidence of the identity of the
13 remotely located individual by using at least two different
14 types of identity proofing.
15 b. The notary public is able reasonably to confirm that a
16 record before the notary public is the same record in which the
17 remotely located individual made a statement or on which the
18 individual executed a signature.
19 c. The notary public, or a person acting on behalf of
20 the notary public, creates an audio-visual recording of the
21 performance of the notarial act.
22 d. For a remotely located individual located outside the
23 United States, all of the following applies:
24 (1) The record complies with any of the following:
25 (a) Is to be filed with or relates to a matter before a
26 public official or court, governmental entity, or other entity
27 subject to the jurisdiction of the United States.
28 (b) Involves property located in the territorial
29 jurisdiction of the United States or involves a transaction
30 substantially connected with the United States.
31 (2) The act of making the statement or signing the record
32 is not prohibited by the foreign state in which the remotely
33 located individual is located.
34 4. If a notarial act is performed under this section, the
35 certificate of notarial act required by section 9B.15 and the

Page 4

1 short-form certificate provided in section 9B.16 must indicate
2 that the notarial act was performed using communication
3 technology.
4 5. A short-form certificate provided in section 9B.16 for a
5 notarial act subject to this section is sufficient if any of
6 the following applies:
7 a. It complies with rules adopted under subsection 8,
8 paragraph "a".
9 b. It is in the form provided in section 9B.16 and contains
10 a statement substantially as follows: "This notarial act
11 involved the use of communication technology".
12 6. A notary public, a guardian, conservator, or agent of

13 a notary public, or a personal representative of a deceased
14 notary public shall retain the audio-visual recording created
15 under subsection 3, paragraph “c”, or cause the recording
16 to be retained by a repository designated by or on behalf
17 of the person required to retain the recording. Unless a
18 different period is required by rule adopted under subsection
19 8, paragraph “d”, the recording must be retained for a period of
20 at least ten years after the recording is made.

21 7. Before a notary public performs the notary public’s
22 initial notarial act under this section, the notary public
23 must notify the secretary of state that the notary public will
24 be performing notarial acts with respect to remotely located
25 individuals and identify the technologies the notary public
26 intends to use. If the secretary of state has established
27 standards under subsection 8 and section 9B.27 for approval
28 of communication technology or identity proofing, the
29 communication technology and identity proofing must conform to
30 the standards.

31 8. In addition to adopting rules under section 9B.27, the
32 secretary of state may adopt rules under this section regarding
33 performance of a notarial act. The rules may do all of the
34 following:

35 a. Prescribe the means and process, including training

Page 5

1 requirements, of performing a notarial act involving a remotely
2 located individual using communication technology.

3 b. Establish standards for communication technology and
4 identity proofing.

5 c. Establish requirements or procedures to approve providers
6 of communication technology and the process of identity
7 proofing.

8 d. Establish standards and a period for the retention of an
9 audio-visual recording created under subsection 3, paragraph
10 “c”.

11 9. Before adopting, amending, or repealing a rule governing
12 performance of a notarial act with respect to a remotely
13 located individual, the secretary of state must consider all
14 of the following:

15 a. The most recent standards regarding the performance of
16 a notarial act with respect to a remotely located individual
17 promulgated by national standard-setting organizations and the
18 recommendations of the national association of secretaries of
19 state.

20 b. Standards, practices, and customs of other jurisdictions
21 that have laws substantially similar to this section.

22 c. The views of governmental officials and entities and
23 other interested persons.

24 10. By allowing its communication technology or identity
25 proofing to facilitate a notarial act for a remotely located
26 individual or by providing storage of the audio-visual

27 recording created under subsection 3, paragraph “c”, the
28 provider of the communication technology, identity proofing,
29 or storage appoints the secretary of state as the provider’s
30 agent for service of process in any civil action in this state
31 related to the notarial act.

32 10A. A document purporting to convey or encumber real
33 property that has been recorded by the county recorder for the
34 jurisdiction in which the real property is located, although
35 the document may not have been certified according to this

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1 section, shall give the same notice to third persons and be
2 effective from the time of recording as if the document had
3 been certified according to this section.

4 10B. A notary public who performs a notarial act under this
5 section must be duly commissioned under and remain subject to
6 the requirements of section 9B.21 and all other applicable
7 requirements of this chapter.

8 Sec. 7. NEW SECTION. 9B.14B Remote facilitator.

9 To be eligible to directly facilitate a notarial act using
10 communication technology for a remotely located individual as
11 provided in section 9B.14A, a remote facilitator must designate
12 and continuously maintain in this state one of the following:

13 1. Its usual place of business in this state.

14 2. A registered office, which need not be a place of its
15 activity in this state, or a registered agent for service of
16 process, as required by the secretary of state. In addition,
17 the remote facilitator shall file a foreign entity authority
18 statement with the secretary of state. The statement shall
19 describe the current street and mailing address of the
20 registered office or the name and current street and mailing
21 address of the remote facilitator’s registered agent.

22 Sec. 8. NEW SECTION. 9B.14C Use of information.

23 1. *a.* As used in this section, unless the context
24 otherwise requires, “*personally identifiable information*” means
25 information about or pertaining to an individual in a record
26 which identifies the individual, and includes information that
27 can be used to distinguish or trace an individual’s identity,
28 either alone or when combined with other information.

29 *b.* “*Personally identifiable information*” includes but is
30 not limited to a person’s photograph, social security number,
31 driver’s license number, name, address, and telephone number.

32 2. A notary public or a remote facilitator shall not sell,
33 offer for sale, use, or transfer to another person personally
34 identifiable information collected in the course of performing
35 a notarial act for any purpose other than as follows:

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1 *a.* As required to perform the notarial act.

2 *b.* As necessary to effect, administer, enforce, service, or

3 process the transaction for which the personally identifiable
4 information was provided.

5 3. Subsection 2 does not apply to the transfer of personally
6 identifiable information to another person in any of the
7 following circumstances:

8 a. Upon written consent of the person for the use or release
9 of that person's personally identifiable information.

10 b. In response to a court order, subpoena, or other legal
11 process compelling disclosure.

12 c. As part of a change in the form of a business entity's
13 organization or a change in the control of a business
14 entity, including as a result of an acquisition, merger, or
15 consolidation. However, any reorganized or successor business
16 entity shall comply with the same requirements as provided in
17 subsection 2.

18 4. A person who violates this section is guilty of a simple
19 misdemeanor.

20 Sec. 9. Section 9B.20, Code 2019, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 2A. The office of the recorder of a county
23 in which real estate is located may accept for recording
24 a tangible copy of an electronic record of an instrument
25 affecting real property, if the electronic record is evidenced
26 by a certificate of a notarial act pursuant to section 9B.15.

27 Sec. 10. EFFECTIVE DATE. This Act takes effect July 1,
28 2020.>

29 2. Title page, by striking lines 1 and 2 and inserting <An
30 Act providing for notarial acts, including by providing for the
31 use of electronic media,>

CHRIS COURNOYER

S-3083

1 Amend Senate File 116 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 724.4B, subsection 2, Code 2019, is
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. d. A person who has in the person's
7 possession a valid permit to carry weapons issued pursuant to
8 section 724.7 and remains on the portion of school district
9 property that comprises its driveways and parking lots while
10 going armed with, carrying, or transporting a concealed pistol
11 or revolver. A school shall be immune from any claim, cause
12 of action, or lawsuit by a person seeking damages that are
13 alleged, directly or indirectly, as a result of any concealed
14 pistol or revolver brought onto the school district property by
15 a person pursuant to this paragraph. This paragraph shall not
16 apply to a school governed by the board of regents pursuant to
17 section 262.7.>

18 2. Title page, by striking lines 2 and 3 and inserting

19 <weapons on school district property.>

JASON SCHULTZ

S-3083

1 Amend Senate File 116 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 724.4B, subsection 2, Code 2019, is
5 amended by adding the following new paragraph:
6 NEW PARAGRAPH. d. A person who has in the person's
7 possession a valid permit to carry weapons issued pursuant to
8 section 724.7 and remains on the portion of school district
9 property that comprises its driveways and parking lots while
10 going armed with, carrying, or transporting a concealed pistol
11 or revolver. A school shall be immune from any claim, cause
12 of action, or lawsuit by a person seeking damages that are
13 alleged, directly or indirectly, as a result of any concealed
14 pistol or revolver brought onto the school district property by
15 a person pursuant to this paragraph. This paragraph shall not
16 apply to a school governed by the board of regents pursuant to
17 section 262.7.>

18 2. Title page, by striking lines 2 and 3 and inserting
19 <weapons on school district property.>

JASON SCHULTZ

S-3084

1 Amend Senate File 524 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 272.2, subsection 14, paragraph b,
4 subparagraph (1), subparagraph division (b), Code 2019, is
5 amended by adding the following new subparagraph subdivision:
6 NEW SUBPARAGRAPH SUBDIVISION. (viii) Sexual exploitation
7 by a youth athletics coach.>

8 2. Page 1, by striking lines 10 through 13 and inserting
9 <coach shall be brought within five fifteen years of the date
10 the victim was last treated by the counselor or therapist, or
11 within five years of the date the victim was last enrolled in
12 or attended the school after the victim attains eighteen years
13 of age.>

14 3. Page 2, by striking lines 16 through 19 and inserting:
15 <b. Sexual exploitation by a youth athletics coach does not
16 include any of the following:

17 (1) Touching that is necessary in the performance of the
18 youth athletics coach's duties including caring for an injured
19 athlete.

20 (2) Engaging in conduct in violation of subsection 3A,
21 paragraph "a", subparagraph (2), with a student who is not more
22 than four years younger than the youth athletics coach and over

whom the youth athletics coach does not have direct authority.>
4. By striking page 2, line 28, through page 3, line 4, and
inserting:

<Sec. _____. Section 802.2A, Code 2019, is amended to read as
follows:

**802.2A Incest — sexual exploitation by a counselor,
therapist, ~~or~~ school employee, or youth athletics coach.**

1. An information or indictment for incest under section
726.2 committed on or with a person who is under the age of
eighteen shall be found within ~~ten~~ fifteen years after the
person upon whom the offense is committed attains eighteen
years of age. An information or indictment for any other
incest shall be found within ten years after its commission.

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2. An indictment or information for sexual exploitation by
a counselor, therapist, ~~or~~ school employee, or youth athletics
coach under section 709.15 committed on or with a person who
is under the age of eighteen shall be found within ~~ten~~ fifteen
years after the person upon whom the offense is committed
attains eighteen years of age. An information or indictment
for any other sexual exploitation shall be found within ~~ten~~
fifteen years of the date the victim was last treated by the
counselor or therapist, or within ~~ten~~ fifteen years of the date
the victim was enrolled in or attended the school.>

ZACH WHITING

S-3085

Amend Senate File 414 as follows:
1. Page 1, line 3, by striking <1.>
2. Page 1, by striking lines 10 through 26.

MARIANNETTE MILLER-MEEKS

S-3086

Amend Senate File 459 as follows:
1. By striking everything after the enacting clause and
inserting:
<Section 1. NEW SECTION. 724.4D Limitation on employers —
firearms and ammunition.
1. For purposes of this section, “employee” means the same
as defined in section 91A.2, subsection 3. “Employee” also
includes a contract employee or a volunteer.
2. An employer shall not prohibit an employee from carrying,
transporting, or possessing a firearm or ammunition, if the
firearm and ammunition are out of sight and inside the locked
motor vehicle of the employee on the real property comprising
the employee’s place of employment, and if the carrying,

14 transportation, or possession of the firearm or ammunition is
 15 otherwise lawful under the laws of this state.
 16 3. An employer, owner, or lawful possessor of the property
 17 on which the employer is located shall be immune from any
 18 claim, cause of action, or lawsuit brought by any person
 19 seeking damages that are alleged, directly or indirectly, as a
 20 result of any firearm or ammunition brought onto the property
 21 of the employer, owner, or lawful possessor by an employee
 22 pursuant to this section.
 23 4. An employer shall not be subject to liability under
 24 chapter 85 if the employer has prohibited the carrying,
 25 transportation, or possession of a firearm or ammunition on
 26 the employer's property in conformance with this section and
 27 an employee is subsequently injured due to that employee's
 28 carrying, transportation, or possession of a firearm or
 29 ammunition on the employer's property in violation of the
 30 employer's firearm prohibition. Any such claim shall be paid
 31 by the injured employee's private insurance policy.
 32 5. An employee who is terminated due to a violation of an
 33 employer's policy that prohibits the carrying, transportation,
 34 or possession of a firearm or ammunition on the employer's
 35 property in conformance with this section shall not be eligible

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1 to receive unemployment compensation.
 2 6. An employer may prohibit an employee from carrying,
 3 transporting, or possessing a firearm or ammunition in a
 4 vehicle owned or leased by the employer or otherwise under the
 5 employer's control or possession.
 6 7. This section does not apply to the extent that it
 7 violates federal or other state law or the terms of a contract
 8 with a federal entity.>

JASON SCHULTZ

S-3087

1 Amend Senate File 334 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <DIVISION I
 4 PUBLIC ASSISTANCE PROGRAM ACCOUNTABILITY — ELIGIBILITY
 5 VERIFICATION AND MONITORING>
 6 2. Page 5, line 5, after <this> by inserting <division of
 7 this>
 8 3. Page 5, line 11, after <this> by inserting <division of
 9 this>
 10 4. Page 5, line 23, by striking <the Act> and inserting
 11 <this division of this Act>
 12 5. Page 5, by striking line 28 and inserting <this division
 13 of this Act.>
 14 6. Page 5, line 30, after <this> by inserting <division of

15 this>

16 7. Page 5, line 33, after <this> by inserting <division of
17 this>

18 8. Page 5, after line 35 by inserting:

19 <DIVISION ____

20 PUBLIC ASSISTANCE PROGRAM ACCOUNTABILITY — MEDICAID MANAGED
21 CARE EXTERNAL REVIEW

22 Sec. ____ MEDICAID MANAGED CARE ORGANIZATION APPEALS
23 PROCESS — EXTERNAL REVIEW.

24 1. a. A Medicaid managed care organization under contract
25 with the state shall include in any written response to
26 a Medicaid provider under contract with the managed care
27 organization that reflects a final adverse determination of the
28 managed care organization's internal appeal process relative to
29 an appeal filed by the Medicaid provider, all of the following:

30 (1) A statement that the Medicaid provider's internal
31 appeal rights within the managed care organization have been
32 exhausted.

33 (2) A statement that the Medicaid provider is entitled to
34 an external independent third-party review pursuant to this
35 section.

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1 (3) The requirements for requesting an external independent
2 third-party review.

3 b. If a managed care organization's written response does
4 not comply with the requirements of paragraph "a", the managed
5 care organization shall pay to the affected Medicaid provider a
6 penalty not to exceed one thousand dollars.

7 2. a. A Medicaid provider who has been denied the provision
8 of a service to a Medicaid member or a claim for reimbursement
9 for a service rendered to a Medicaid member, and who has
10 exhausted the internal appeals process of a managed care
11 organization, shall be entitled to an external independent
12 third-party review of the managed care organization's final
13 adverse determination.

14 b. To request an external independent third-party review of
15 a final adverse determination by a managed care organization,
16 an aggrieved Medicaid provider shall submit a written request
17 for such review to the managed care organization within sixty
18 calendar days of receiving the final adverse determination.

19 c. A Medicaid provider's request for such review shall
20 include all of the following:

21 (1) Identification of each specific issue and dispute
22 directly related to the final adverse determination issued by
23 the managed care organization.

24 (2) A statement of the basis upon which the Medicaid
25 provider believes the managed care organization's determination
26 to be erroneous.

27 (3) The Medicaid provider's designated contact information,
28 including name, mailing address, phone number, fax number, and

29 email address.

30 3. a. Within five business days of receiving a Medicaid
31 provider's request for review pursuant to this subsection, the
32 managed care organization shall do all of the following:
33 (1) Confirm to the Medicaid provider's designated contact,
34 in writing, that the managed care organization has received the
35 request for review.

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1 (2) Notify the department of the Medicaid provider's
2 request for review.

3 (3) Notify the affected Medicaid member of the Medicaid
4 provider's request for review, if the review is related to the
5 denial of a service.

6 b. If the managed care organization fails to satisfy the
7 requirements of this subsection 3, the Medicaid provider shall
8 automatically prevail in the review.

9 4. a. Within fifteen calendar days of receiving a Medicaid
10 provider's request for external independent third-party review,
11 the managed care organization shall do all of the following:

12 (1) Submit to the department all documentation submitted
13 by the Medicaid provider in the course of the managed care
14 organization's internal appeal process.

15 (2) Provide the managed care organization's designated
16 contact information, including name, mailing address, phone
17 number, fax number, and email address.

18 b. If a managed care organization fails to satisfy the
19 requirements of this subsection 4, the Medicaid provider shall
20 automatically prevail in the review.

21 5. An external independent third-party review shall
22 automatically extend the deadline to file an appeal for a
23 contested case hearing under chapter 17A, pending the outcome
24 of the external independent third-party review, until thirty
25 calendar days following receipt of the review decision by the
26 Medicaid provider.

27 6. Upon receiving notification of a request for external
28 independent third-party review, the department shall do all of
29 the following:

30 a. Assign the review to an external independent third-party
31 reviewer.

32 b. Notify the managed care organization of the identity of
33 the external independent third-party reviewer.

34 c. Notify the Medicaid provider's designated contact of the
35 identity of the external independent third-party reviewer.

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1 7. The department shall deny a request for an external
2 independent third-party review if the requesting Medicaid
3 provider fails to exhaust the managed care organization's
4 internal appeals process or fails to submit a timely request

5 for an external independent third-party review pursuant to this
6 subsection.

7 8. a. Multiple appeals through the external independent
8 third-party review process regarding the same Medicaid
9 member, a common question of fact, or interpretation of common
10 applicable regulations or reimbursement requirements may
11 be combined and determined in one action upon request of a
12 party in accordance with rules and regulations adopted by the
13 department.

14 b. The Medicaid provider that initiated a request for
15 an external independent third-party review, or one or more
16 other Medicaid providers, may add claims to such an existing
17 external independent third-party review following exhaustion
18 of any applicable managed care organization internal appeals
19 process, if the claims involve a common question of fact
20 or interpretation of common applicable regulations or
21 reimbursement requirements.

22 9. Documentation reviewed by the external independent
23 third-party reviewer shall be limited to documentation
24 submitted pursuant to subsection 4.

25 10. An external independent third-party reviewer shall do
26 all of the following:

27 a. Conduct an external independent third-party review
28 of any claim submitted to the reviewer pursuant to this
29 subsection.

30 b. Within thirty calendar days from receiving the request
31 for review from the department and the documentation submitted
32 pursuant to subsection 4, issue the reviewer's final decision
33 to the Medicaid provider's designated contact, the managed
34 care organization's designated contact, the department, and
35 the affected Medicaid member if the decision involves a denial

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1 of service. The reviewer may extend the time to issue a final
2 decision by fourteen calendar days upon agreement of all
3 parties to the review.

4 11. The department shall enter into a contract with
5 an independent review organization that does not have a
6 conflict of interest with the department or any managed care
7 organization to conduct the independent third-party reviews
8 under this section.

9 a. A party, including the affected Medicaid member or
10 Medicaid provider, may appeal a final decision of the external
11 independent third-party reviewer in a contested case proceeding
12 in accordance with chapter 17A within thirty calendar days from
13 receiving the final decision. A final decision in a contested
14 case proceeding is subject to judicial review.

15 b. The final decision of any external independent
16 third-party review conducted pursuant to this subsection shall
17 also direct the nonprevailing party to pay an amount equal to
18 the costs of the review to the external independent third-party

reviewer. Any payment ordered pursuant to this subsection shall be stayed pending any appeal of the review. If the final outcome of any appeal is to reverse the decision of the external independent third-party review, the nonprevailing party shall pay the costs of the review to the external independent third-party reviewer within forty-five calendar days of entry of the final order.

DIVISION ____

PUBLIC ASSISTANCE PROGRAM ACCOUNTABILITY — MEDICAID PROGRAM
CONSUMER PROTECTION

Sec. ____ NEW SECTION. **2C.6A Assistant for Medicaid program.**

1. The ombudsman shall appoint an assistant who shall be primarily responsible for investigating complaints relating to the Medicaid program, including both Medicaid fee-for-service and managed care payment and delivery systems, and all Medicaid populations including the long-term services and supports

Page 6

population.

2. The ombudsman shall provide assistance and advocacy services to Medicaid recipients and the families or legal representatives of Medicaid recipients. Such assistance and advocacy shall include but is not limited to all of the following:

a. Assisting recipients in understanding the services, coverage, and access provisions and their rights under the Medicaid program.

b. Developing procedures for the tracking and reporting of the outcomes of individual requests for assistance, the procedures available for obtaining services, and other aspects of the services provided to Medicaid recipients.

c. Providing advice and assistance relating to the preparation and filing of complaints, grievances, and appeals of complaints or grievances, including through processes available under managed care plans and the state appeals process under the Medicaid program.

3. The ombudsman shall adopt rules to administer this section.

4. The ombudsman shall publish special reports and investigative reports as deemed necessary and shall include findings and recommendations related to the assistance and advocacy provided under this section in the ombudsman's annual report.

Sec. ____ REPEAL. Section 231.44, Code 2019, is repealed.>

9. By renumbering as necessary.

LIZ MATHIS
AMANDA RAGAN

S-3088

1 Amend Senate File 570 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 29C.20C Immunity — registered
5 **architects and professional engineers.**

6 An architect registered pursuant to chapter 544A or a
7 professional engineer licensed pursuant to chapter 542B who,
8 during a disaster emergency as proclaimed by the governor or
9 a major disaster as declared by the president of the United
10 States, in good faith and at the request of or with the
11 approval of a national, state, or local public official, law
12 enforcement official, public safety official, or building
13 inspection official believed by the registered architect or
14 professional engineer to be acting in an official capacity,
15 voluntarily and without compensation provides architectural,
16 engineering, structural, electrical, mechanical, or other
17 design professional services related to the disaster emergency
18 shall not be liable for civil damages for any acts or omissions
19 resulting from the services provided, unless such acts or
20 omissions constitute recklessness or willful and wanton
21 misconduct. A registered architect or professional engineer
22 who receives expense reimbursement for the performance of
23 services described in this section shall not be considered to
24 have received compensation for such services.>

25 2. Title page, by striking lines 1 through 4 and inserting
26 <An Act providing for immunity from civil liability for
27 registered architects and professional engineers providing
28 disaster emergency assistance under specified circumstances.>

ANNETTE SWEENEY

S-3089

1 Amend Senate File 376 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 256.7, subsection 26, paragraph a,
4 subparagraph (3), Code 2019, is amended to read as follows:

5 (3) The rules establishing a core curriculum shall address
6 the core content standards in subsection 28 and the skills and
7 knowledge students need to be successful in the twenty-first
8 century. The core curriculum shall include social studies and
9 twenty-first century learning skills which include but are
10 not limited to civic literacy, health literacy, technology
11 literacy, financial literacy, family life and consumer
12 sciences, and employability skills; and shall address the
13 curricular needs of students in kindergarten through grade
14 twelve in those areas. The state board shall further define
15 the twenty-first century learning skills components by rule.
16 Prior to establishing, proposing, adopting, or modifying a
17 standard or rule relating to mental health, coping skills,

- 18 and suicide awareness under a statewide health curriculum or
 19 under statewide health literacy academic standards and learning
 20 goals for students in twenty-first century skills, the state
 21 board shall consult with a mental health professional employed
 22 by the department of human services and with a mental health
 23 professional serving as a member of the children's behavioral
 24 health system state board created in section 225C.51, if
 25 enacted by 2019 Iowa Acts, Senate File 479, or by 2019 Iowa
 26 Acts, House File 690.>
 27 2. Title page, line 1, after <to> by inserting <health
 28 education and literacy standards and skills established by the
 29 state board of education, and to>
 30 3. By renumbering as necessary.

JEFF EDLER

S-3090

- 1 Amend the amendment, S-3051, to Senate File 528 as follows:
 2 1. Page 1, after line 6 by inserting:
 3 <_. Page 7, after line 25 by inserting:
 4 <Sec. ____ **NEW SECTION. 578B.10 Disclosure of flood zone.**
 5 The operator shall disclose in the rental agreement whether
 6 the self-service storage facility is located in a "special
 7 flood hazard area" as defined by the federal emergency
 8 management agency in 44 C.F.R. pt. 61, Appendix A(3).
 9 Sec. ____ **NEW SECTION. 578B.11 Fire, flood, or other**
 10 **catastrophic event damage or destruction.**
 11 If the self-service storage facility is damaged or destroyed
 12 by a fire, flood, or other catastrophic event to the extent
 13 that the leased space is rendered unusable, the operator
 14 shall make a good faith effort to notify the occupant of the
 15 event and the occupant may terminate the rental agreement by
 16 giving the required notice in the rental agreement. If the
 17 occupant terminates the rental agreement under this section,
 18 the occupant shall remove all contents of the leased space as
 19 soon as is reasonably practicable. Any prepaid rent is due to
 20 the occupant upon removal of the occupant's property from the
 21 leased space.>
 22 _____. By renumbering as necessary.>

AMY SINCLAIR

S-3091

- 1 Amend Senate File 376 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 (3), Code 2019, is amended to read as follows:
 6 (3) The rules establishing a core curriculum shall address
 7 the core content standards in subsection 28 and the skills and

8 knowledge students need to be successful in the twenty-first
9 century. The core curriculum shall include social studies and
10 twenty-first century learning skills which include but are
11 not limited to civic literacy, health literacy, technology
12 literacy, financial literacy, family life and consumer
13 sciences, and employability skills; and shall address the
14 curricular needs of students in kindergarten through grade
15 twelve in those areas. The state board shall further define
16 the twenty-first century learning skills components by rule.
17 Prior to establishing, proposing, adopting, or modifying a
18 standard or rule relating to mental health, coping skills,
19 and suicide awareness under a statewide health curriculum or
20 under statewide health literacy academic standards and learning
21 goals for students in twenty-first century skills, the state
22 board shall consult with a mental health professional employed
23 by the department of human services and with a mental health
24 professional serving as a member of the children's behavioral
25 health system state board created in section 225C.51, if
26 enacted by 2019 Iowa Acts, Senate File 479, or by 2019 Iowa
27 Acts, House File 690.

28 Sec. 2. Section 256.11, subsection 4, Code 2019, is amended
29 to read as follows:

30 4. The following shall be taught in grades seven and
31 eight: English-language arts; social studies; mathematics;
32 science; health; age-appropriate and research-based human
33 growth and development; career exploration and development;
34 physical education; music; and visual art. Career exploration
35 and development shall be designed so that students are

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1 appropriately prepared to create an individual career
2 and academic plan pursuant to section 279.61, incorporate
3 foundational career and technical education concepts aligned
4 with the six career and technical education service areas
5 as defined in subsection 5, paragraph "h", and incorporate
6 relevant twenty-first century skills. The health curriculum
7 shall include age-appropriate and research-based information
8 regarding the characteristics of sexually transmitted diseases,
9 including HPV and the availability of a vaccine to prevent HPV,
10 and acquired immune deficiency syndrome; and age-appropriate
11 and research-based information regarding mental health
12 awareness, coping skills, and suicide prevention. Coping
13 skills shall include but not be limited to preventing dating
14 violence and respecting the requirement for affirmative,
15 conscious, and voluntary consent prior to sexual activity. The
16 state board as part of accreditation standards shall adopt
17 curriculum definitions for implementing the program in grades
18 seven and eight. However, this subsection shall not apply to
19 the teaching of career exploration and development in nonpublic
20 schools. For purposes of this section, "*age-appropriate*",
21 "*HPV*", and "*research-based*" mean the same as defined in section

22 279.50.

23 Sec. 3. Section 256.11, subsection 5, paragraph j,
 24 subparagraph (1), Code 2019, is amended to read as follows:
 25 (1) One unit of health education which shall include
 26 personal health; food and nutrition; environmental health;
 27 safety and survival skills; consumer health; family life;
 28 age-appropriate and research-based human growth and
 29 development; substance abuse and nonuse; emotional and social
 30 health, including mental health awareness, coping skills which
 31 shall include but not be limited to preventing dating violence
 32 and respecting the requirement for affirmative, conscious,
 33 and voluntary consent prior to sexual activity, and suicide
 34 prevention; health resources; and prevention and control
 35 of disease, including age-appropriate and research-based

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1 information regarding sexually transmitted diseases, including
 2 HPV and the availability of a vaccine to prevent HPV, and
 3 acquired immune deficiency syndrome.>
 4 2. Title page, line 1, after <to> by inserting <health
 5 education and literacy standards and skills established by the
 6 state board of education, and to>

LIZ MATHIS
 HERMAN C. QUIRMBACH

S-3092

1 Amend Senate File 376 as follows:
 2 1. Page 1, line 20, after <prevention.> by inserting <Coping
 3 skills shall include but not be limited to preventing dating
 4 violence and respecting the requirement for affirmative,
 5 conscious, and voluntary consent prior to sexual activity.>
 6 2. Page 1, line 35, after <skills> by inserting <which
 7 shall include but not be limited to preventing dating violence
 8 and respecting the requirement for affirmative, conscious, and
 9 voluntary consent prior to sexual activity.>

LIZ MATHIS

S-3093

1 Amend Senate File 589 as follows:
 2 1. By striking page 1, line 34, through page 2, line 4, and
 3 inserting <has proven all of the following:
 4 a. More than eight years have passed since the date of the
 5 conviction.
 6 b. The defendant has no pending criminal charges.
 7 c. The defendant has not previously been granted two
 8 deferred judgments.
 9 d. The defendant has paid all court costs, fees, fines,

10 restitution, and any other financial obligations ordered by the
11 court or assessed by the clerk of the district court.>
12 2. Page 3, by striking lines 5 through 12.
13 3. Page 4, line 1, after <ROBBERY> by inserting <—
14 AGGRAVATED THEFT>
15 4. Page 4, after line 7 by inserting:
16 <Sec. ____ **NEW SECTION. 711.3B Aggravated theft.**
17 1. A person commits aggravated theft when the person commits
18 an assault as defined in section 708.1, subsection 2, paragraph
19 “a”, that is punishable as a simple misdemeanor under section
20 708.2, subsection 6, after the person has removed or attempted
21 to remove property not exceeding three hundred dollars in
22 value which has not been purchased from a store or mercantile
23 establishment, or has concealed such property of the store or
24 mercantile establishment, either on the premises or outside the
25 premises of the store or mercantile establishment.
26 2. a. A person who commits aggravated theft is guilty of an
27 aggravated misdemeanor.
28 b. A person who commits aggravated theft, and who has
29 previously been convicted of an aggravated theft, robbery in
30 the first degree in violation of section 711.2, robbery in the
31 second degree in violation of section 711.3, or extortion in
32 violation of section 711.4, is guilty of a class “D” felony.
33 3. In determining if a violation is a class “D” felony
34 offense the following shall apply:
35 a. A deferred judgment entered pursuant to section 907.3 for

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1 a violation of any offense specified in subsection 2 shall be
2 counted as a previous offense.
3 b. A conviction or the equivalent of a deferred judgment for
4 a violation in any other states under statutes substantially
5 corresponding to an offense specified in subsection 2 shall be
6 counted as a previous offense. The courts shall judicially
7 notice the statutes of other states which define offenses
8 substantially equivalent to the offenses specified in this
9 section and can therefore be considered corresponding statutes.
10 4. Aggravated theft is not an included offense of robbery
11 in the first or second degree.
12 Sec. ____ Section 808.12, subsections 1 and 3, Code 2019,
13 are amended to read as follows:
14 1. Persons concealing property as set forth in section
15 ~~714.3A~~ 711.3B or 714.5, may be detained and searched by a peace
16 officer, person employed in a facility containing library
17 materials, merchant, or merchant’s employee, provided that
18 the detention is for a reasonable length of time and that the
19 search is conducted in a reasonable manner by a person of the
20 same sex and according to subsection 2 of this section.
21 3. The detention or search under this section by a peace
22 officer, person employed in a facility containing library
23 materials, merchant, or merchant’s employee does not render the

- 24 person liable, in a criminal or civil action, for false arrest
25 or false imprisonment provided the person conducting the search
26 or detention had reasonable grounds to believe the person
27 detained or searched had concealed or was attempting to conceal
28 property as set forth in section ~~714.3A~~ **711.3B** or 714.5.>
29 5. Page 4, by striking line 31 and inserting:
30 <Sec. ____ REPEAL. Sections 711.3A, 711.5, and 714.3A, Code
31 2019, are repealed.>
32 6. Page 6, by striking lines 5 through 15.
33 7. Page 10, by striking line 1 and inserting <FRAUD AND
34 FORGERY REVISIONS>
35 8. Page 10, by striking lines 2 through 19.

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- 1 9. Page 12, by striking line 8 and inserting <or motion, in
2 any Iowa court. The court>
3 10. Page 13, by striking lines 19 through 24 and inserting:
4 <Sec. ____ Section 822.3, Code 2019, is amended to read as
5 follows:
6 **822.3 How to commence proceeding — limitation.**
7 A proceeding is commenced by filing an application verified
8 by the applicant with the clerk of the district court in
9 which the conviction or sentence took place. However, if the
10 applicant is seeking relief under section 822.2, subsection 1,
11 paragraph “f”, the application shall be filed with the clerk
12 of the district court of the county in which the applicant
13 is being confined within ninety days from the date the
14 disciplinary decision is final. All other applications must
15 be filed within three years from the date the conviction or
16 decision is final or, in the event of an appeal, from the date
17 the writ of procedendo is issued. However, this limitation
18 does not apply to a ground of fact or law that could not have
19 been raised within the applicable time period. An allegation
20 of ineffective assistance of counsel in a prior case under this
21 chapter shall not toll or extend the limitation periods in this
22 section nor shall such claim relate back to a prior filing to
23 avoid the application of the limitation periods. Facts within
24 the personal knowledge of the applicant and the authenticity
25 of all documents and exhibits included in or attached to the
26 application must be sworn to affirmatively as true and correct.
27 The supreme court may prescribe the form of the application and
28 verification. The clerk shall docket the application upon its
29 receipt and promptly bring it to the attention of the court
30 and deliver a copy to the county attorney and the attorney
31 general.>
32 11. Page 13, lines 30 and 31, by striking <district or
33 appellate court. The district or appellate> and inserting
34 <court. The>
35 12. By striking page 16, line 25, through page 18, line 21.

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- 1 13. By renumbering, redesignating, and correcting internal
- 2 references as necessary.

DAN DAWSON

S-3094

- 1 Amend Senate File 528 as follows:

- 2 1. Page 7, after line 25 by inserting:

3 <Sec. ____ **NEW SECTION. 578B.10 Disclosure of flood zone.**

4 Prior to the execution of a rental agreement, an operator
5 must disclose to the potential occupant if the storage facility
6 is located in a flood zone as defined by the federal emergency
7 management agency as a “special flood hazard area” in 44
8 C.F.R. pt. 61, Appendix A(3). The disclosure must be made in
9 a separate paragraph in a bold, twelve-point, non-serif font.
10 If the storage facility is located in a “special flood hazard
11 area”, the disclosure must recommend that the prospective
12 occupant purchase flood insurance.

13 Sec. ____ **NEW SECTION. 578B.11 Disclosure of damage to**
14 **personal property.**

15 If the operator knows, or should reasonably know, that an
16 occupant’s personal property has been damaged, the operator
17 must disclose the damage to the occupant by verified mail as
18 soon as possible but not later than three business days.

19 Sec. ____ **NEW SECTION. 578B.12 Fire, flood, or other**
20 **casualty damage.**

21 1. If the leased space is damaged or destroyed by fire,
22 flood, or other casualty to an extent that enjoyment of the
23 leased space is substantially impaired, the occupant may do
24 either of the following:

25 a. As soon as is practicable, remove all personal property
26 from the leased space and notify the operator in writing within
27 fourteen days of the occupant learning of the fire, flood, or
28 other casualty of the occupant’s intention to terminate the
29 rental agreement, in which case the rental agreement terminates
30 as of the date of vacating.

31 b. If continued use of a portion of the leased space is
32 practicable, the occupant has the sole discretion to elect to
33 terminate under paragraph “a” or to vacate any part of the
34 leased space rendered unusable by the fire, flood, or casualty,
35 in which case the occupant’s liability for rent is reduced in

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- 1 proportion to the diminution in the fair rental value of the
- 2 leased space.

- 3 2. If the rental agreement is terminated, the operator shall
- 4 return all prepaid rent and security. In accounting for rent
- 5 in the event of termination or apportionment, the termination

6 or apportionment is effective as of the date of the fire,
7 flood, or other casualty.>
8 2. By renumbering as necessary.

JANET PETERSEN

S-3095

1 Amend Senate File 589 as follows:

2 1. Page 11, after line 23 by inserting:

3 <Sec. ____ NEW SECTION. **704A.1 Restriction on the defense**
4 **of provocation.**

5 For purposes of determining sudden, violent, and
6 irresistible passion resulting from serious provocation
7 sufficient to excite such passion in a person, the provocation
8 was not objectively reasonable if it resulted from the
9 discovery of, knowledge about, or potential disclosure of
10 another person's actual or perceived gender, gender identity,
11 gender expression, or sexual orientation, including under
12 circumstances in which the other person made an unwanted,
13 nonforcible, romantic or sexual advance towards the person, or
14 if the person and the other person dated or had a romantic or
15 sexual relationship. This section shall not preclude a jury
16 from considering all relevant facts to determine whether the
17 person was in fact provoked for purposes of establishing a
18 provocation defense.

19 Sec. ____ NEW SECTION. **704A.2 Restriction on the defense**
20 **of diminished capacity.**

21 A person does not suffer from reduced mental capacity based
22 on the discovery of, knowledge about, or potential disclosure
23 of another person's actual or perceived gender, gender
24 identity, gender expression, or sexual orientation, including
25 under circumstances in which the other person made an unwanted,
26 nonforcible, romantic or sexual advance towards the person, or
27 if the person and the other person dated or had a romantic or
28 sexual relationship.

29 Sec. ____ NEW SECTION. **704A.3 Restriction on the defense of**
30 **self-defense.**

31 A person is not justified in using force against another
32 person based upon the discovery of, knowledge about, or
33 potential disclosure of another person's actual or perceived
34 gender, gender identity, gender expression, or sexual
35 orientation, including under circumstances in which the other

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1 person made an unwanted, nonforcible, romantic or sexual
2 advance towards the person, or if the person and the other

3 person dated or had a romantic or sexual relationship.>

4 2. By renumbering as necessary.

CLAIRE CELSI
ZACH WAHLS

S-3096

1 Amend Senate File 302 as follows:

2 1. Page 1, by striking lines 28 and 29 and inserting
3 <driving task, including but not limited to removing the
4 vehicle to the nearest shoulder if the vehicle is capable
5 of doing so, bringing the vehicle to a complete stop, and
6 activating the vehicle's emergency signal lamps.>
7 2. By striking page 2, line 34, through page 3, line 2, and
8 inserting <present in the vehicle shall be lawful. During such
9 operation, the conventional human driver shall possess a valid
10 driver's license pursuant to section 321.174. The>

11 3. Page 3, line 24, after <department.> by inserting <A
12 system-equipped vehicle shall not operate on the highways of
13 this state unless financial liability coverage is in effect for
14 the vehicle and unless proof of financial liability coverage is
15 carried in the vehicle. If a system-equipped vehicle operates
16 on a highway in violation of this section, the owner of the
17 vehicle may be charged and convicted of a violation of section
18 321.20B as though the owner was operating the vehicle.>

19 4. Page 4, line 4, after <applicable.> by inserting
20 <However, if the vehicle's failure is due to an error or
21 malfunction in the automated driving system, the vehicle's
22 failure shall instead be imputed to the vehicle's manufacturer,
23 and the vehicle's manufacturer may be charged and convicted
24 for a violation of sections 321.261 through 321.373, as
25 applicable.>

26 5. Page 4, by striking lines 19 through 23 and inserting:
27 <1. Automated driving systems and system-equipped vehicles
28 shall be governed by sections 321.514 through 321.518, this
29 section, and all applicable traffic and motor vehicle safety
30 laws and regulations of this state. Automated driving systems
31 and system-equipped vehicles shall be regulated exclusively by
32 the department. The department may adopt rules pursuant to
33 chapter 17A to administer sections 321.514 through 321.518, and
34 this section.>

CHRIS COURNOYER

S-3097

1 Amend the amendment, S-3082, to Senate File 475 as follows:

2 1. Page 7, by striking lines 27 and 28 and inserting:
3 <Sec. ____ RULEMAKING. The secretary of state shall
4 prepare a notice of intended action for the adoption of
5 rules necessary to administer this Act as provided in section

6 9B.27. The notice of intended action shall be submitted to
 7 the administrative rules coordinator and the administrative
 8 code editor as soon as possible after July 1, 2020. However,
 9 nothing in this section authorizes the secretary of state to
 10 adopt rules under section 17A.4, subsection 3, or section
 11 17A.5, subsection 2, paragraph "b".
 12 Sec. ____ EFFECTIVE DATE.
 13 1. Except as provided in subsection 2, this Act takes effect
 14 July 1, 2020.
 15 2. The section of this Act requiring the secretary of state
 16 to prepare a notice of intended action for the adoption of
 17 rules necessary to administer this Act shall take effect upon
 18 enactment.>
 19 2. By renumbering as necessary.

CHRIS COURNOYER

S-3098

1 Amend Senate File 376 as follows:
 2 1. Page 1, line 20, after <prevention.> by inserting <Coping
 3 skills shall include but not be limited to preventing dating
 4 violence and respecting the requirement for affirmative,
 5 conscious, and voluntary consent prior to sexual activity.>
 6 2. Page 1, line 35, after <skills> by inserting <which
 7 shall include but not be limited to preventing dating violence
 8 and respecting the requirement for affirmative, conscious, and
 9 voluntary consent prior to sexual activity.>

HERMAN C. QUIRMBACH

S-3099

1 Amend Senate File 540 as follows:
 2 1. Page 2, after line 22 by inserting:
 3 <Sec. ____ **NEW SECTION. 633F.3 Short title.**
 4 This chapter shall be known as the "*Sex Trafficking and Child*
 5 *Pornography Facilitation Act*".>
 6 2. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3100

1 Amend Senate File 516 as follows:
 2 1. Page 1, by striking lines 15 through 17 and inserting:
 3 <4. "*Employee*" means an individual who is paid wages by an
 4 employer for service in employment in this state. "*Employee*"
 5 does not include an independent>
 6 2. Page 1, by striking lines 19 through 23 and inserting:
 7 <5. "*Employer*" means an employer, as defined in section
 8 96.19, that has a license issued by an agency in this state. In

- 9 the case of an independent>
- 10 3. Page 1, after line 26 by inserting:
- 11 <5A. “*Employment*” means the same as defined in section
- 12 96.19.>
- 13 4. By striking page 1, line 33, through page 2, line 17, and
- 14 inserting:
- 15 <8. “*Independent contractor*” means the same as described in
- 16 rules adopted by the department for purposes of administration
- 17 of chapter 96.>
- 18 5. Page 2, after line 29 by inserting:
- 19 <12. “*Wages*” means the same as defined in section 96.19.>

JULIAN B. GARRETT

S-3101

- 1 Amend Senate File 516 as follows:
- 2 1. Page 8, after line 24 by inserting:
- 3 <Sec. ____ **NEW SECTION. 95.6 Use of federal funds by**
- 4 **department prohibited.**
- 5 The department shall not utilize federal funds, or personnel
- 6 or any other department resources for which federal funding
- 7 is allocated, to carry out the department’s duties under this
- 8 chapter.>
- 9 2. By renumbering as necessary.

JULIAN B. GARRETT

S-3102

- 1 Amend Senate File 589 as follows:
- 2 1. Page 18, after line 21 by inserting:
- 3 <DIVISION ____
- 4 CONTROLLED SUBSTANCES
- 5 Sec. ____ Section 124.401, subsection 5, Code 2019, is
- 6 amended to read as follows:
- 7 5. It is unlawful for any person knowingly or intentionally
- 8 to possess a controlled substance unless such substance was
- 9 obtained directly from, or pursuant to, a valid prescription
- 10 or order of a practitioner while acting in the course of the
- 11 practitioner’s professional practice, or except as otherwise
- 12 authorized by this chapter. Any Except as otherwise provided
- 13 in this subsection, any person who violates this subsection
- 14 is guilty of a serious misdemeanor for a first offense. A
- 15 person who commits a violation of this subsection and who has
- 16 previously been convicted of violating this chapter or chapter
- 17 124B or 453B, or chapter 124A as it existed prior to July 1,
- 18 2017, is guilty of an aggravated misdemeanor. A person who
- 19 commits a violation of this subsection and has previously
- 20 been convicted two or more times of violating this chapter or
- 21 chapter 124B or 453B, or chapter 124A as it existed prior to
- 22 July 1, 2017, is guilty of a class “D” felony.

23 a. (1) ~~If Except as otherwise provided in subparagraph (4),~~
24 if the controlled substance is marijuana, the punishment shall
25 be by imprisonment in the county jail for not more than six
26 months or by a fine of not more than one thousand dollars, or by
27 both such fine and imprisonment for a first offense.
28 (2) If the controlled substance is marijuana and the person
29 has been previously convicted of a violation of this subsection
30 in which the controlled substance was marijuana, the punishment
31 shall be as provided in section 903.1, subsection 1, paragraph
32 "b".
33 (3) If the controlled substance is marijuana and the person
34 has been previously convicted two or more times of a violation
35 of this subsection in which the controlled substance was

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1 marijuana, the person is guilty of an aggravated misdemeanor.
2 (4) If the controlled substance is marijuana and is five
3 grams or less and subparagraphs (2) and (3) do not apply, the
4 person is guilty of a simple misdemeanor.
5 b. A person may knowingly or intentionally recommend,
6 possess, use, dispense, deliver, transport, or administer
7 cannabidiol if the recommendation, possession, use, dispensing,
8 delivery, transporting, or administering is in accordance
9 with the provisions of chapter 124E. For purposes of this
10 paragraph, "cannabidiol" means the same as defined in section
11 124E.2.
12 c. All or any part of a sentence imposed pursuant to
13 this subsection may be suspended and the person placed upon
14 probation upon such terms and conditions as the court may
15 impose including the active participation by such person in a
16 drug treatment, rehabilitation or education program approved
17 by the court.
18 d. If a person commits a violation of this subsection, the
19 court shall order the person to serve a term of imprisonment of
20 not less than forty-eight hours. Any sentence imposed may be
21 suspended, and the court shall place the person on probation
22 upon such terms and conditions as the court may impose. If
23 the person is not sentenced to confinement under the custody
24 of the director of the department of corrections, the terms
25 and conditions of probation shall require submission to random
26 drug testing. If the person fails a drug test, the court may
27 transfer the person's placement to any appropriate placement
28 permissible under the court order.
29 e. If the controlled substance is amphetamine, its salts,
30 isomers, or salts of its isomers, or methamphetamine, its
31 salts, isomers, or salts of its isomers, the court shall order
32 the person to serve a term of imprisonment of not less than
33 forty-eight hours. Any sentence imposed may be suspended,
34 and the court shall place the person on probation upon such
35 terms and conditions as the court may impose. The court may

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- 1 place the person on intensive probation. However, the terms
- 2 and conditions of probation shall require submission to random
- 3 drug testing. If the person fails a drug test, the court may
- 4 transfer the person's placement to any appropriate placement
- 5 permissible under the court order.>
- 6 2. By renumbering as necessary.

TONY BISIGNANO

S-3103

- 1 Amend Senate File 577 as follows:
- 2 1. Page 1, line 3, by striking <child> and inserting
- 3 <student>
- 4 2. Page 1, line 6, by striking <child> and inserting
- 5 <student>
- 6 3. Page 1, line 14, by striking <child> and inserting
- 7 <student>
- 8 4. Page 1, line 21, by striking <child> and inserting
- 9 <student>
- 10 5. Page 1, line 23, by striking <child> and inserting
- 11 <student>
- 12 6. Page 1, line 28, by striking <child> and inserting
- 13 <student>
- 14 7. Page 1, line 30, by striking <child's> and inserting
- 15 <student's>
- 16 8. By striking page 1, line 31, through page 2, line 1.
- 17 9. Page 2, line 2, by striking <c.> and inserting <b.>
- 18 10. Page 2, line 19, by striking <d.> and inserting <c.>
- 19 11. Page 2, line 20, by striking <child> and inserting
- 20 <student>
- 21 12. Page 2, line 22, by striking <child> and inserting
- 22 <student>
- 23 13. Page 2, after line 24 by inserting:
- 24 <d. "Student with a disability" means a person between
- 25 the ages of eighteen and twenty-one who has a disability in
- 26 obtaining an education because of a head injury, autism,
- 27 behavioral disorder, or physical, mental, communication, or
- 28 learning disability, as defined by the rules of the department
- 29 of education.>
- 30 14. Page 2, line 25, by striking <child> and inserting
- 31 <student>
- 32 15. Page 2, line 30, by striking <child> and inserting
- 33 <student>
- 34 16. Page 2, line 32, by striking <child> and inserting
- 35 <student>

Page 2

- 1 17. Page 3, line 3, by striking <child> and inserting

- 2 <student>
3 18. Page 3, line 8, by striking <child> and inserting
4 <student>
5 19. Page 3, line 12, by striking <child> and inserting
6 <student>
7 20. Title page, line 2, by striking <child> and inserting
8 <student>

ROBERT M. HOGG

S-3104

- 1 Amend Senate File 589 as follows:
2 1. By striking page 10, line 20, through page 11, line 4.
3 2. By renumbering as necessary.

KEVIN KINNEY

S-3105

- 1 Amend Senate File 283 as follows:
2 1. Page 1, line 14, by striking <six> and inserting <three>
3 2. Page 2, line 3, by striking <six> and inserting <three>
4 3. Page 2, line 12, by striking <six> and inserting <three>

ROBERT M. HOGG

S-3106

- 1 Amend Senate File 283 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 279.7A, Code 2019, is amended to read
5 as follows:
6 **279.7A Interest in public contracts prohibited — exceptions.**
7 1. A member of the board of directors of a school
8 corporation shall not have an interest, direct or indirect, in
9 a contract for the purchase of goods, including materials and
10 profits, and the performance of services for the director's
11 school corporation. A contract entered into in violation of
12 this section is void.
13 2. This section does not apply to contracts for the
14 purchase of goods or services which benefit a director, or
15 to compensation for part-time or temporary employment which
16 benefits a director, if the benefit to the director does not
17 exceed two thousand five hundred dollars or the optional
18 threshold amount in a fiscal year, and contracts made by
19 a school board, upon competitive bid in writing, publicly
20 invited and opened. For purposes of this subsection, "optional
21 threshold amount" means six thousand dollars for a purchase of
22 goods and services if the purchase is approved by the board
23 following public notice and without the vote of any benefitted

24 director.

25 3. This section does not apply to a contract that is a
26 bond, note, or other obligation of a school corporation if the
27 contract is not acquired directly from the school corporation,
28 but is acquired in a transaction with a third party, who may
29 or may not be the original underwriter, purchaser, or obligee
30 of the contract, or to a contract in which a director has an
31 interest solely by reason of employment if the contract is made
32 by competitive bid in writing, publicly invited and opened, or
33 if the remuneration of employment will not be directly affected
34 as a result of the contract and the duties of employment do not
35 directly involve the procurement or preparation of any part of

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1 the contract.

2 4. The competitive bid qualification of this section
3 does not apply to a contract for professional services not
4 customarily awarded by competitive bid.

5 Sec. 2. Section 331.342, subsection 1, Code 2019, is amended
6 to read as follows:

7 1. As used in this section, ~~“contract”~~;

8 a. “Contract” means a claim, account, or demand against
9 or agreement with a county, express or implied, other than a
10 contract to serve as an officer or employee of the county.
11 However, contracts subject to section 314.2 are not subject to
12 this section.

13 b. “Optional threshold amount” means six thousand dollars
14 for a purchase of goods and services if the purchase is
15 approved by the county following public notice and without the
16 vote of any benefitted officer or employee of the county.

17 Sec. 3. Section 331.342, subsection 2, paragraph j, Code
18 2019, is amended to read as follows:

19 j. Contracts not otherwise permitted by this section, for
20 the purchase of goods or services by a county, which benefit a
21 county officer or employee, if the purchases benefiting that
22 officer or employee do not exceed a cumulative total purchase
23 price of one thousand five hundred dollars or the optional
24 threshold amount in a fiscal year.

25 Sec. 4. Section 362.5, subsection 1, Code 2019, is amended
26 to read as follows:

27 1. When used in this section, ~~“contract”~~;

28 a. “Contract” means any claim, account, or demand against or
29 agreement with a city, express or implied.

30 b. “Optional threshold amount” means six thousand dollars
31 for a purchase of goods and services if the purchase is
32 approved by the city following public notice and without the
33 vote of any benefitted officer or employee of the city.

34 Sec. 5. Section 362.5, subsection 3, paragraphs j and k,
35 Code 2019, are amended to read as follows:

Page 3

1 j. Contracts not otherwise permitted by this section, for
2 the purchase of goods or services by a city having a population
3 of more than two thousand five hundred, which benefit a city
4 officer or employee, if the purchases benefiting that officer
5 or employee do not exceed a cumulative total purchase price of
6 one thousand five hundred dollars or the optional threshold
7 amount in a fiscal year.

8 k. Contracts not otherwise permitted by this section for
9 the purchase of goods or services by a city having a population
10 of two thousand five hundred or less, which benefit a city
11 officer or employee, if the purchases benefiting that officer
12 or employee do not exceed a cumulative total purchase price of
13 two thousand five hundred dollars or the optional threshold
14 amount in a fiscal year.>

ROBERT M. HOGG

S-3107

1 Amend Senate File 540 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. **NEW SECTION. 633F.1 Definitions.**

5 1. “*Agent*” means a person granted authority to act for a
6 parent, guardian, or legal custodian under a power of attorney
7 created under this chapter.

8 2. “*Child*” means a person under eighteen years of age.

9 3. “*Power of attorney*” means a writing that grants authority
10 to an agent to act in the place of a parent, guardian, or legal
11 custodian regarding the care or custody of a child.

12 Sec. 2. **NEW SECTION. 633F.2 Power of attorney — temporary**
13 **delegation of parental authority.**

14 1. A parent, guardian, or legal custodian of a child, by a
15 properly executed power of attorney, may delegate to another
16 person any authority regarding the care or custody of the child
17 except for any of the following powers:

18 a. The power to consent to the child’s marriage.

19 b. The power to consent to the child’s adoption.

20 c. The power to consent to the performance or inducement of
21 an abortion on or for the child.

22 d. The power to consent to the termination of the parental
23 rights of a parent of the child.

24 e. The power to transfer the power of attorney to another
25 person unless the other person is designated as a successor
26 agent in the power of attorney.

27 2. A power of attorney executed under this chapter must be
28 signed by all parents, guardians, and legal custodians. The
29 power of attorney must be acknowledged before a notary public
30 or other individual authorized by law to take acknowledgments.
31 An agent named in the power of attorney shall not notarize the

32 principal's signature. An acknowledged signature on a power of
33 attorney is presumed to be genuine.

34 3. A parent, guardian, or legal custodian of the child shall
35 have the authority to revoke or terminate a power of attorney

Page 2

1 created under this chapter at any time by giving notice of the
2 revocation in writing to the agent.

3 4. A power of attorney created under this chapter shall be
4 for a period of time not to exceed three months. A parent,
5 guardian, or legal custodian of the child may execute a new
6 power of attorney for an additional period of three months, but
7 in no case shall a power of attorney created under this chapter
8 be valid for more than six months. If a parent, guardian, or
9 legal custodian revokes or terminates the power of attorney,
10 the child shall be returned to the care and custody of the
11 parent, guardian, or legal custodian within twenty-four hours
12 of the date of the revocation or termination.

13 5. An agent shall exercise parental or legal authority on a
14 continuous basis without compensation for the duration of the
15 power of attorney and shall not be considered to be a foster
16 parent subject to licensure by the department of human services
17 pursuant to chapter 237.

18 6. A power of attorney executed under this chapter by a
19 parent, guardian, or legal custodian shall not constitute
20 abandonment, abuse, or neglect of the child under chapter 232
21 by the parent, guardian, or legal custodian unless the parent,
22 guardian, or legal custodian fails to take custody of the child
23 upon the expiration of the power of attorney.

24 7. A power of attorney executed under this chapter by a
25 parent, guardian, or legal custodian shall not be valid if the
26 purpose is to avoid the filing of a child in need of assistance
27 petition.

28 8. This chapter shall not apply to a power of attorney
29 created pursuant to section 598C.204.

30 Sec. 3. NEW SECTION. 633F.3 **Power of attorney temporary**
31 **delegation of parental authority — form.**

32 A document substantially in the following form may be used
33 to create a power of attorney temporary delegation of parental
34 authority that has the meaning and effect prescribed by this
35 chapter:

Page 3

1 POWER OF ATTORNEY TEMPORARY DELEGATION OF PARENTAL AUTHORITY
2 FORM

3 1. POWER OF ATTORNEY

4 This power of attorney authorizes another person (your
5 agent) to make decisions concerning your child or children for
6 you (the principal). Your agent will be able to make decisions
7 and act with respect to your child or children. The meaning

8 of authority over the child or children listed on this form is
9 explained in Iowa Code chapter 633F. This power of attorney
10 does not grant the agent the power to consent to a child's
11 marriage or adoption, to the performance or inducement of an
12 abortion on or for a child, or to the termination of parental
13 rights of a parent of a child or to the transfer of the power
14 of attorney to a person other than to a person designated as a
15 successor agent in this power of attorney.

16 You should select someone you trust to serve as your agent.
17 Your agent is not entitled to compensation unless you state
18 otherwise in the optional Special Instructions.

19 This form provides for designation of one agent. If you
20 wish to name more than one agent, you may name a coagent in the
21 optional Special Instructions. Coagents must act by majority
22 rule unless you provide otherwise in the optional Special
23 Instructions.

24 If your agent is unable or unwilling to act for you, your
25 power of attorney will end unless you have named a successor
26 agent. You may also name a second successor agent.

27 This power of attorney becomes effective immediately upon
28 signature and acknowledgment unless you state otherwise in the
29 optional Special Instructions.

30 If you have questions about this power of attorney or the
31 authority you are granting to your agent, you should seek legal
32 advice before signing this form.

33 DESIGNATION OF AGENT

34 I _____ (name of principal) name the
35 following person as my agent:

Page 4

1 Name of Agent _____
2 Agent's Address _____
3 Agent's Telephone Number _____

4 DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

5 If my agent is unable or unwilling to act for me, I name as
6 my successor agent:

7 Name of Successor Agent _____
8 Successor Agent's Address _____
9 Successor Agent's Telephone Number _____

10 If my successor agent is unable or unwilling to act for me, I
11 name as my second successor agent:

12 Name of Second Successor Agent _____
13 Second Successor Agent's Address _____
14 Second Successor Agent's Telephone Number _____

15 GRANT OF GENERAL AUTHORITY

16 I grant my agent and any successor agent general authority to
17 act for me with respect to my child or my children as defined in
18 Iowa Code chapter 633F.

19 SPECIAL INSTRUCTIONS

20 You may give special instructions including the name and
21 date of birth of the child on the following lines:

22 _____
23 _____
24 _____
25 _____
26 _____
27 _____
28 _____
29 _____
30 _____
31 _____
32 _____
33 _____
34 _____
EFFECTIVE DATE

Page 5

1 This power of attorney is effective immediately upon
2 signature and acknowledgment unless I have stated otherwise in
3 the optional Special Instructions.
4 RELIANCE ON THIS POWER OF ATTORNEY
5 Any person, including my agent, may rely upon the validity of
6 this power of attorney or a copy of it unless that person knows
7 it has terminated or is invalid.
8 SIGNATURE AND ACKNOWLEDGMENT
9 _____
10 Your Signature _____ Date
11 _____
12 Your Name Printed
13 _____
14 _____
15 Your Address
16 _____
17 Your Telephone Number
18 State of _____
19 County of _____
20 This document was acknowledged before me on _____
21 (date), by _____ (name of principal)
22 _____ (Seal, if any)
23 Signature of Notary
24 My commission expires _____
25 This document prepared by
26 _____
27 _____
28 2. IMPORTANT INFORMATION FOR AGENT
29 AGENT'S DUTIES
30 When you accept the authority granted under this power of
31 attorney, a special legal relationship is created between the
32 principal and you. This relationship imposes upon you legal
33 duties that continue until you resign or the power of attorney
34 is terminated or revoked. You must do all of the following:
35 Act in good faith.

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1 Do nothing beyond the authority granted in this power of
2 attorney.
3 Disclose your identity as an agent whenever you act for the
4 principal by writing or printing the name of the principal and
5 signing your own name as agent in the following manner:
6 _____ (principal's name) by
7 _____ (your signature) as Agent
8 Unless the Special Instructions in this power of attorney
9 state otherwise, you must also do all of the following:
10 Act loyally for the child's or children's and principal's
11 benefit.
12 Avoid conflicts that would impair your ability to act in the
13 child or children's and principal's best interest.
14 Act with care, competence, and diligence.

15 TERMINATION OF AGENT'S AUTHORITY

16 You must stop acting on behalf of the principal if you learn
17 of any event that terminates this power of attorney or your
18 authority under this power of attorney. Events that terminate
19 a power of attorney or your authority to act under a power of
20 attorney include any of the following:
21 The principal's revocation of the power of attorney or your
22 authority.
23 The occurrence of a termination event stated in the power of
24 attorney.
25 The purpose of the power of attorney is fully accomplished.
26 The time period specified in the power of attorney has
27 expired.
28 The three-month time period permitted under Iowa Code
29 chapter 633F has expired.
30 The three-month extension time period permitted under Iowa
31 Code chapter 633F has expired.
32

32 LIABILITY OF AGENT

33 The meaning of the authority granted to you is defined in
34 Iowa Code chapter 633F. If you violate Iowa Code chapter 633F,

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1 or act outside the authority granted, you may be liable for any
2 damages caused by your violation.
3 If there is anything about this document or your duties that
4 you do not understand, you should seek legal advice.
5 Sec. 4. **NEW SECTION. 633F.4 Agent's certification —**
6 **optional form.**
7 The following optional form may be used by an agent to
8 certify facts concerning a power of attorney:
9 IOWA STATUTORY POWER OF ATTORNEY TEMPORARY DELEGATION OF
10 PARENTAL AUTHORITY AGENT'S CERTIFICATION FORM
11 AGENT'S CERTIFICATION OF VALIDITY OF POWER OF ATTORNEY AND
12 AGENT'S AUTHORITY
13 State of _____

14 County of _____
 15 I, _____ (name of agent), certify
 16 under penalty of perjury that _____
 17 (name of principal) granted me authority as an agent
 18 or successor agent in a power of attorney dated
 19 _____.

20 I further certify all of the following to my knowledge:
 21 The principal is alive and has not revoked the power of
 22 attorney or the Power of Attorney and my authority to act under
 23 the Power of Attorney have not terminated.

24 If the power of attorney was drafted to become effective
 25 upon the happening of an event or contingency, the event or
 26 contingency has occurred.

27 If I was named as a successor agent, the prior agent is no
 28 longer able or willing to serve.

29 _____
 30 _____
 31 _____.

32 (Insert other relevant statements)
 33 SIGNATURE AND ACKNOWLEDGMENT

34 _____
 35 Agent's Signature Date

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1 _____
 2 Agent's Name Printed
 3 _____
 4 _____
 5 Agent's Address
 6 _____
 7 Agent's Telephone Number
 8 This document was acknowledged before me on _____
 9 (date), by _____ (name of agent)
 10 _____ (Seal, if any)
 11 Signature of Notary
 12 My commission expires _____
 13 This document prepared by
 14 _____
 15 _____>

JULIAN GARRETT

S-3108

- 1 Amend the amendment, S-3107, to Senate File 540 as follows:
- 2 1. Page 8, after line 15 by inserting:
- 3 <Sec. ____ **NEW SECTION. 633F.5 Short title.**
- 4 This chapter shall be known as the "*Sex Trafficking and Child*

5 *Pornography Facilitation Act”.>*

6 2. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3109

1 Amend Senate File 376 as follows:

- 2 1. Page 1, by striking lines 19 and 20 and inserting <and
3 research-based information regarding suicide prevention,
4 mental health awareness, and techniques for coping with mental
5 illness. The state>
6 2. By striking page 1, line 35, through page 2, line 1, and
7 inserting <health, including suicide prevention, mental health
8 awareness, and techniques for coping with mental illness;
9 health resources; and prevention>

JEFF EDLER

S-3110

1 Amend Senate File 516 as follows:

- 2 1. Page 7, lines 18 and 19, by striking <verify the
3 employment eligibility of the employee through the e-verify
4 program> and inserting <require that the employee submit the
5 employee's fingerprints to the employer>
6 2. Page 7, line 21, by striking <verification> and inserting
7 <submission>
8 3. Page 7, line 22, after <longer.> by inserting <The
9 employer may require that the employee pay the cost of the
10 fingerprinting.>
11 4. Page 7, lines 30 and 31, by striking <register with and
12 participate in the e-verify program> and inserting <require the
13 submission of employee fingerprints pursuant to subsection 1>
14 5. Page 7, lines 33 and 34, by striking <registered with
15 and is participating in the e-verify program> and inserting
16 <requiring the submission of employee fingerprints pursuant to
17 subsection 1>
18 6. Page 8, after line 7 by inserting:
19 <3. An employer, after hiring or rehiring an employee,
20 may verify the employment eligibility of the employee through
21 the e-verify program and certify to the department that the
22 employer has done so.>
23 7. Page 8, line 8, by striking <3.> and inserting <4.>

KEVIN KINNEY

S-3111

1 Amend Senate File 516 as follows:

- 2 1. Page 7, lines 18 and 19, by striking <verify the
3 employment eligibility of the employee through the e-verify

- 4 program> and inserting <require that the employee submit the
5 employee's fingerprints and photograph to the employer>
6 2. Page 7, line 21, by striking <verification> and inserting
7 <submission>
8 3. Page 7, line 22, after <longer.> by inserting <The
9 employer may require that the employee pay the cost of the
10 fingerprinting and photographing.>
11 4. Page 7, lines 30 and 31, by striking <register with and
12 participate in the e-verify program> and inserting <require the
13 submission of employee fingerprints and photographs pursuant to
14 subsection 1>
15 5. Page 7, lines 33 and 34, by striking <registered with
16 and is participating in the e-verify program> and inserting
17 <requiring the submission of employee fingerprints and
18 photographs pursuant to subsection 1>
19 6. Page 8, after line 7 by inserting:
20 <3. An employer, after hiring or rehiring an employee,
21 may verify the employment eligibility of the employee through
22 the e-verify program and certify to the department that the
23 employer has done so.>
24 7. Page 8, line 8, by striking <3.> and inserting <4.>

KEVIN KINNEY

S-3112

- 1 Amend Senate File 516 as follows:
2 1. Page 3, lines 22 and 23, by striking <for the business
3 location where the unauthorized alien performed work>
4 2. Page 3, lines 27 and 28, by striking <at the business
5 location where the unauthorized alien performed work>
6 3. Page 4, by striking lines 10 through 18 and inserting
7 <paragraph "c" are all licenses that are held by the employer.
8 On receipt of the court's order, the appropriate>
9 4. Page 5, by striking lines 8 through 15 and inserting <are
10 held by the employer. On receipt of the order,>
11 5. Page 5, line 19, by striking <at a business location>
12 6. Page 5, lines 21 and 22, by striking <paragraph "b", for
13 that employer's business location> and inserting <paragraph
14 "b">
15 7. Page 5, line 24, by striking <at a business location>
16 8. Page 5, lines 26 and 27, by striking <paragraph "b", for
17 that employer's business location> and inserting <paragraph
18 "b">
19 9. Page 5, line 31, by striking <and business locations>

ROBERT M. HOGG

S-3113

- 1 Amend Senate File 516 as follows:
2 1. Page 1, by striking lines 11 and 12 and inserting <this

3 state. *“Economic development incentive”* includes a tax credit
4 or tax incentive program if the tax credit or tax incentive
5 program requires an application to a government entity by an
6 employer on or after July 1, 2019.>

ROBERT M. HOGG

S-3114

1 Amend Senate File 516 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 95.1 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. *“Agency”* means an agency, department, board, or
8 commission of this state or a political subdivision that issues
9 a license for purposes of operating a business in this state.

10 2. *“Department”* means the department of workforce
11 development.

12 3. *“Economic development incentive”* means a grant, loan,
13 or performance-based incentive awarded by a government entity
14 of this state. *“Economic development incentive”* includes a
15 tax credit or tax incentive program if the tax credit or tax
16 incentive program requires an application to a government
17 entity by an employer on or after July 1, 2019.

18 4. *“Employ”* means hiring or continuing to employ an
19 individual to perform services.

20 5. *“Employee”* means an individual who is paid wages by an
21 employer for service in employment in this state. *“Employee”*
22 does not include an independent contractor.

23 6. *“Employer”* means an employer, as defined in section
24 96.19, that has a license issued by an agency in this state.

25 7. *“Employment”* means the same as defined in section 96.19.

26 8. *“E-verify program”* means the employment verification
27 program as jointly administered by the United States department
28 of homeland security and the United States social security
29 administration.

30 9. *“Government entity”* means this state or a political
31 subdivision of this state that receives and uses tax revenues.

32 10. *“Independent contractor”* means the same as described in
33 rules adopted by the department for purposes of administration
34 of chapter 96.

35 11. *“Knowingly employ an unauthorized alien”* means the

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1 actions described in 8 U.S.C. §1324a, and shall be interpreted
2 consistently with 8 U.S.C. §1324a and any applicable federal
3 regulations.

4 12. *“License”* means a permit, certificate, approval,
5 registration, charter, or similar form of authorization, other

6 than a professional license, that is required by law and that
7 is issued by an agency, allowing the licensee to do business
8 in this state.

9 13. “*Unauthorized alien*” means an alien who does not have
10 the legal right or authorization under federal law to work in
11 the United States as described in 8 U.S.C. §1324a(h)(3).

12 14. “*Wages*” means the same as defined in section 96.19.

13 Sec. 2. **NEW SECTION. 95.2 Knowingly employing unauthorized**
14 **aliens.**

15 1. *Knowingly employing unauthorized aliens prohibited.* An
16 employer shall not knowingly employ an unauthorized alien. If
17 an employer uses a contract, subcontract, or other independent
18 contractor, the employer shall not contract with a person
19 the employer knows to be an unauthorized alien or with a
20 contractor, subcontractor, or independent contractor who the
21 employer knows is employing an unauthorized alien.

22 2. *Complaints — department action.* A county attorney,
23 local law enforcement official, or member of the public
24 may file a complaint of a violation of subsection 1 with
25 the department. If the department finds, based on evidence
26 included with the complaint or on evidence gathered by the
27 department, that an employer has violated subsection 1, the
28 department shall provide the employer with written notice
29 of the department’s finding and the penalties ordered to be
30 imposed pursuant to this chapter. Upon service of such notice,
31 the department’s order shall be treated as a contested case
32 under chapter 17A.

33 3. *Department order — first violation.* On a finding of a
34 first violation as described in subsection 6, the department
35 shall order all of the following:

Page 3

1 a. The employer shall terminate the employment of all
2 unauthorized aliens. The employer shall be required to file
3 a signed sworn affidavit with the department within three
4 business days after the order is issued. The affidavit shall
5 state that the employer has terminated the employment of all
6 unauthorized aliens in this state and that the employer will
7 not knowingly employ an unauthorized alien in this state.

8 b. (1) The employer shall be subject to a three-year
9 probationary period.

10 (2) During the probationary period, the employer shall file
11 quarterly reports on the form prescribed in section 252G.3
12 with the department for each new employee who is hired by the
13 employer.

14 (3) The employer shall pay the department an annual
15 workforce licensing fee in the amount of five thousand dollars
16 for the probationary period.

17 c. The employer shall repay all moneys received as an
18 economic development incentive during the two years prior
19 to the violation to the government entity that awarded the

20 economic development incentive within thirty days.

21 4. *Department order — second violation.* On a finding of a
22 second violation as described in subsection 6, the department
23 shall order all of the following:

24 a. The employer shall terminate the employment of all
25 unauthorized aliens. The employer shall be required to file
26 a signed sworn affidavit with the department within three
27 business days after the order is issued. The affidavit shall
28 state that the employer has terminated the employment of all
29 unauthorized aliens in this state and that the employer will
30 not knowingly employ an unauthorized alien in this state.

31 b. (1) The employer shall be subject to an additional
32 six-year probationary period.

33 (2) During the probationary period, the employer shall file
34 quarterly reports on the form prescribed in section 252G.3
35 with the department for each new employee who is hired by the

Page 4

1 employer.

2 (3) The employer shall pay the department an annual
3 workforce licensing fee in the amount of five thousand dollars
4 for the probationary period.

5 c. The employer shall repay all moneys received as an
6 economic development incentive during the two years prior
7 to the violation to the government entity that awarded the
8 economic development incentive within thirty days.

9 5. *Department order — third violation.* On a finding of a
10 third violation as described in subsection 6, the department
11 shall order all of the following:

12 a. The appropriate agencies shall permanently revoke all
13 licenses that are held by the employer. On receipt of the
14 order, the appropriate agencies shall revoke the licenses
15 according to the department's order within three business days.

16 b. The employer shall repay all moneys received as an
17 economic development incentive during the two years prior
18 to the violation to the government entity that awarded the
19 economic development incentive within thirty days.

20 6. *Violations defined.*

21 a. A violation shall be considered a first violation by an
22 employer if the violation did not occur during a probationary
23 period ordered by the department under subsection 3, paragraph
24 "b", or subsection 4, paragraph "b".

25 b. A violation shall be considered a second violation by an
26 employer if the violation occurred during a probationary period
27 ordered by the court under subsection 3, paragraph "b".

28 c. A violation shall be considered a third violation by an
29 employer if the violation occurred during a probationary period
30 ordered by the court under subsection 4, paragraph "b".

31 7. *Department report to immigration and customs*
32 *enforcement.* Upon exhaustion of an employer's right of
33 administrative and judicial appeal of a final order by the

34 department pursuant to this chapter, the department shall
35 report the name and contact information of the employer and the

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1 department's findings to United States immigration and customs
2 enforcement.
3 8. *Federal determination creates rebuttable presumption.* In
4 determining whether an employee is an unauthorized alien,
5 the department shall consider the federal government's
6 determination of the immigration status of the employee
7 pursuant to 8 U.S.C. §1373(c). The department may take
8 notice of the federal government's determination. The federal
9 government's determination that the employee is an unauthorized
10 alien creates a rebuttable presumption of the employee's
11 unauthorized status. The employer may present evidence that
12 the employee is not an unauthorized alien.
13 9. *Good-faith compliance.* For the purposes of this section,
14 an employer that establishes that it has complied in good
15 faith with the requirements of 8 U.S.C. §1324a(b) establishes
16 a conclusive affirmative defense that the employer did not
17 knowingly employ an unauthorized alien. An employer is
18 considered to have complied with the requirements of 8 U.S.C.
19 §1324a(b), notwithstanding an isolated, sporadic, or accidental
20 technical or procedural failure to meet the requirements, if
21 there is a good-faith attempt to comply with the requirements.
22 For purposes of this subsection, "*good-faith attempt to comply*"
23 means an employer to which all of the following apply with
24 respect to an employee hired or rehired by the employer:
25 a. The employer made a bona fide attempt to meet the
26 requirements for completion of the form I-9 for the employee
27 found in 8 C.F.R. §274a.2(a)(3), as amended through January 1,
28 2019.
29 b. The employer was a participating employer in the e-verify
30 program at the time the employee was hired or rehired.
31 c. The employer can demonstrate that the employer attempted
32 to verify the employment eligibility of the employee through
33 the e-verify program.
34 10. *Entrapment as affirmative defense.*
35 a. It is an affirmative defense to a violation of subsection

Page 6

1 1 that the employer was entrapped. To claim entrapment, the
2 employer must admit by the employer's testimony or other
3 evidence the substantial elements of the violation. An
4 employer who asserts an entrapment defense has the burden
5 of proving all of the following by a preponderance of the
6 evidence:
7 (1) The idea of committing the violation started with law
8 enforcement officers or their agents rather than with the
9 employer.

(2) The law enforcement officers or their agents urged and induced the employer to commit the violation.

b. An employer does not establish entrapment if the employer was predisposed to violate subsection 1 and the law enforcement officers or their agents merely provided the employer with an opportunity to commit the violation. The conduct of law enforcement officers and their agents may be considered in determining if an employer has proven entrapment.

Sec. 3. **NEW SECTION. 95.3 E-verify program — employer participation — economic development incentives from government entities — appropriation.**

1. An employer who employs four or more employees in the state shall, after hiring or rehiring an employee, verify the employment eligibility of the employee through the e-verify program, certify to the department that the employer has done so, and keep a record of the verification for the duration of the employee's employment or at least three years, whichever is longer. The certification shall be considered a record under section 96.11, subsection 6, and rules adopted pursuant thereto, and shall be submitted to the department within the time period required by rule for an employer to submit the employer's contribution and payroll report.

2. For economic development incentives applied for on or after July 1, 2019, in addition to any other requirement for an employer to receive an economic development incentive from a government entity, an employer shall register with and

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participate in the e-verify program. Before receiving the economic development incentive, the employer shall provide proof to the government entity that the employer is registered with and is participating in the e-verify program. If the government entity determines that the employer is not complying with this subsection, the government entity shall notify the employer by certified mail of the government entity's determination of noncompliance and the employer's right to appeal the determination. On a final determination of noncompliance, the employer shall repay all moneys received as an economic development incentive to the government entity within thirty days of the final determination.

3. If an employer who employs four or more employees in the state verifies the employment eligibility of an employee through the e-verify program, and the program indicates that the employee is not eligible for employment, the employer shall notify the employee and the department in writing. The employee shall have the right to submit evidence to the employer and department that the employee is eligible for employment. If the department determines after examination of such evidence that the employee was inaccurately indicated as ineligible for employment by the e-verify program, the department shall provide the employee with back pay in an

24 amount equal to the wages the employee would have earned from
 25 employment by the employer from the date of the inaccurate
 26 indication through the date of the department's determination.
 27 The employee may request a contested case hearing pursuant to
 28 chapter 17A following the department's determination. There is
 29 appropriated to the department from funds in the general fund
 30 not otherwise appropriated an amount necessary to provide any
 31 back pay to employees required pursuant to this subsection.
 32 Sec. 4. NEW SECTION. **95.4 Compliance with federal and state**
 33 **law.**
 34 This chapter shall not be construed to require an employer to
 35 take any action that the employer believes in good faith would

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1 violate federal or state law.
 2 Sec. 5. NEW SECTION. **95.5 Rules.**
 3 The department shall adopt rules pursuant to chapter 17A to
 4 administer this chapter.
 5 Sec. 6. NEW SECTION. **95.6 Use of federal funds by**
 6 **department prohibited.**
 7 The department shall not utilize federal funds, or personnel
 8 or any other department resources for which federal funding
 9 is allocated, to carry out the department's duties under this
 10 chapter.
 11 Sec. 7. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
 12 shall not apply to this Act.>
 13 2. Title page, line 1, after <aliens> by inserting <, making
 14 an appropriation,>

ROBERT M. HOGG

S-3115

1 Amend House File 707, as passed by the House, as follows:
 2 1. Page 1, line 24, after <delivery> by inserting <and
 3 notice sent by electronic mail or other electronic means with
 4 the consent of the party to be served>

COMMITTEE ON JUDICIARY
 BRAD ZAUN, Chair

S-3116

HOUSE AMENDMENT TO SENATE FILE 230

1 Amend Senate File 230, as passed by the Senate, as follows:
 2 1. Page 2, line 9, after <license> by inserting <or a
 3 manufacturer of native wine pursuant to a class "A" wine
 4 permit>
 5 2. Page 2, after line 9 by inserting:
 6 <Sec. ____ Section 123.56, subsection 5, Code 2019, is

7 amended to read as follows:

- 8 5. Notwithstanding any other provision of this chapter, a
9 person engaged in the business of manufacturing native wine may
10 sell native wine at retail for consumption on the premises of
11 the manufacturing facility by applying for a class "C" native
12 wine permit as provided in section 123.178B. A manufacturer
13 of native wine may be granted not more than one class "C"
14 native wine permit. A manufacturer of native wine may be
15 issued a class "C" native wine permit regardless of whether the
16 manufacturer is also a manufacturer of beer pursuant to a class
17 "A" beer permit or a manufacturer of native distilled spirits
18 pursuant to a class "A" native distilled spirits license.>
19 3. Title page, lines 1 and 2, by striking <native distilled
20 spirits and beer> and inserting <alcoholic beverages>
21 4. By renumbering as necessary.

S-3117

1 Amend House File 604, as passed by the House, as follows:

- 2 1. Page 1, by striking lines 6 and 7 and inserting <specify
3 all terms and conditions desired. ~~Sections 482.4, 482.6, and~~
4 ~~482.14 do not apply to these contracts. A person who enters~~
5 into such a contract with the director, and any subcontractor
6 under such a contract, shall have an appropriate valid
7 commercial license under section 482.4. However, other persons
8 assisting with performance of the contract or subcontract may
9 be unlicensed.>

TIM L. KAPUCIAN

S-3118

1 Amend House File 743, as passed by the House, as follows:

- 2 1. Page 6, after line 25 by inserting:
3 <Sec. ____ Section 2B.17, subsection 1, Code 2019, is
4 amended to read as follows:
5 1. ~~An official~~ A legal publication designated as ~~such~~
6 official by the legislative services agency as provided in
7 sections 2.42 and 2A.1, is the authoritative and official ~~and~~
8 ~~authoritative~~ electronic or print version of the statutes,
9 administrative rules, or court rules of the state of Iowa.>
10 2. Page 6, line 26, by striking <paragraph a,> and inserting
11 <paragraphs a and d,>
12 3. Page 6, line 27, by striking <is> and inserting <are>
13 4. Page 6, line 28, by striking <state's> and inserting
14 <state's state>
15 5. Page 6, after line 29 by inserting:
16 <d. For court rules, the official version of the legal
17 publication shall be known as the Iowa Court Rules.>
18 6. Page 6, lines 32 and 33, by striking <a legal publication
19 is deemed an official version and> and inserting <an official
20 legal publication>

- 21 7. Page 7, line 26, by striking <version of a>
22 8. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, Chair

S-3119

- 1 Amend House File 692, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 PROCEDURES FOR PROPOSED AMENDMENTS TO THE IOWA CONSTITUTION
6 Section 1. Section 49.43, subsection 2, Code 2019, is
7 amended to read as follows:
8 2. Constitutional amendments and other public measures ~~may~~
9 shall be summarized by the commissioner as provided in sections
10 49.44 and 52.25.
11 Sec. 2. Section 49.44, subsection 1, Code 2019, is amended
12 to read as follows:
13 1. When a proposed constitutional amendment or other public
14 measure to be decided by the voters of the entire state is to
15 be voted upon, the state commissioner shall prepare a written
16 summary of the amendment or measure including the number of
17 the amendment or statewide public measure assigned by the
18 state commissioner. The summary shall be printed immediately
19 preceding the text of the proposed amendment or measure on the
20 paper ballot or optical scan ballot referred to in section
21 49.43. If the complete text of the proposed amendment or
22 public measure will not fit on the ballot it shall be posted
23 inside the voting booth. A copy of the full text shall be
24 included with any absentee ballots.
25 Sec. 3. Section 49A.1, Code 2019, is amended to read as
26 follows:
27 **49A.1 Publication of proposed amendment.**
28 **1.** Whenever any proposition to amend the Constitution has
29 passed the general assembly and been referred to the next
30 succeeding legislature, the state commissioner of elections
31 shall endeavor to cause the same to be published, once each
32 month, in two newspapers of general circulation in each
33 congressional district in the state, for the time required by
34 the Constitution.
35 **2. a.** The legislative services agency shall maintain on

Page 2

- 1 the internet site of the agency a list of all propositions
2 to amend the Constitution as they are filed for each general
3 assembly commencing on or after the effective date of this Act.
4 Such lists shall include links to the text of the proposed
5 amendments.
6 **b.** The legislative services agency shall maintain on the

7 internet site of the agency separate lists for propositions to
 8 amend the Constitution that have been passed by one general
 9 assembly and by two consecutive general assemblies. Such lists
 10 shall include links to the text of the proposed amendments and
 11 shall be updated no later than one week after the conclusion of
 12 each session of the general assembly. A proposition to amend
 13 the Constitution published consistent with this paragraph shall
 14 be considered published as required by the Constitution.

15 Sec. 4. REPEAL. Sections 49A.10 and 49A.11, Code 2019, are
 16 repealed.

DIVISION II ISSUANCE OF BONDS

19 Sec. 5. Section 49.45, Code 2019, is amended to read as
 20 follows:

21 **49.45 General form of ballot.**

22 1. Ballots referred to in section 49.43 shall be
 23 substantially in the following form:

24 Shall the following amendment to the Constitution (or public
 25 measure) be adopted?

26 ☐ Yes

27 ☐ No

28 (Here insert the summary, if it is for a constitutional
 29 amendment or statewide public measure, and in full the proposed
 30 constitutional amendment or public measure. The number
 31 assigned by the state commissioner or the letter assigned
 32 by the county commissioner shall be included on the ballot
 33 centered above the question, "Shall the following amendment to
 34 the Constitution [or public measure] be adopted?".)

35 2. A public measure to approve the issuance of a bond

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1 pursuant to chapter 75 or 296 shall include on the ballot the
 2 current property tax levy, which shall immediately follow
 3 the proposed levy, and the term of the bond. Such a public
 4 measure shall also include on the ballot the average increase
 5 or decrease in the property tax burden of an average home in
 6 each county, as well as the average of such averages, according
 7 to data provided by the United States census bureau.

DIVISION III

9 **SELF-PROMOTION WITH TAXPAYER FUNDS**

10 Sec. 6. Section 68A.405A, subsection 1, paragraph b, Code
 11 2019, is amended by striking the paragraph.

12 Sec. 7. Section 68A.405A, Code 2019, is amended by adding
 13 the following new subsections:

14 **NEW SUBSECTION.** 3. For the purposes of this section,
 15 "direct mass mailing" means a mailing, regardless of whether
 16 the mailing was sent in response to a request or due to the
 17 recipient's enrollment in a program, the purpose of which is to
 18 attract public attention to a person, policy, product, service,
 19 program, initiative, law, legislation, event, or activity

20 promoted by the statewide elected official that is all of the
21 following:
22 a. Printed material delivered by the United States mail or
23 other delivery service.
24 b. Sent to more than two hundred physical addresses.
25 c. Substantially similar or identical as regards each
26 mailing.
27 d. Sent at the same time or within a thirty-day period.
28 NEW SUBSECTION. 4. For the purposes of this section,
29 only moneys appropriated to the offices of the governor and
30 lieutenant governor are considered under the control of the
31 governor or lieutenant governor.

32 DIVISION IV

33 HOSPITAL BOARD OF TRUSTEES ELECTIONS

34 Sec. 8. Section 347.9, subsection 1, Code 2019, is amended
35 to read as follows:

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1 1. When it has been determined by the voters of a county
2 to establish a county public hospital, the board shall appoint
3 five or seven trustees chosen from among the resident citizens
4 of the county with reference to their fitness for office.
5 The appointed trustees shall hold office until the following
6 general election, at which time their successors shall be
7 elected, three for a term of four years and the remainder
8 for a term of two years, and they shall determine by lot
9 their respective terms, and thereafter their successors shall
10 be elected for regular terms of four years each, except as
11 provided in subsection 3.

12 Sec. 9. Section 347.9, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3. Trustees in a county with a population
15 of at least four hundred thousand shall serve for a term of six
16 years. A trustee elected to a term of four years in or after
17 January 2018 shall instead serve a term of six years.

18 Sec. 10. Section 347.10, Code 2019, is amended to read as
19 follows:

20 **347.10 Vacancies.**

21 Vacancies on the board of trustees may, ~~until the next~~
22 ~~general election,~~ be filled by appointment by the remaining
23 members of the board of trustees or, if fewer than a
24 majority of the trustees remain on the board, by the board of
25 supervisors for the period until the vacancies are filled by
26 election. An appointment made under this section shall be for
27 the unexpired balance of the term of the preceding trustee. If
28 a board member is absent for four consecutive regular board
29 meetings, without prior excuse, or fails to comply with more
30 stringent attendance requirements for regular board meetings
31 included in the bylaws governing the board, the member's
32 position shall be declared vacant and filled as set out in this
33 section.

34 Sec. 11. HOSPITAL BOARD OF TRUSTEES ELECTIONS.
35 Notwithstanding section 347.9, for elections held pursuant to

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1 section 347.9 in 2022 in which more than seventy percent of
2 trustee positions on a board are on the ballot:
3 1. If there are seven trustees on the board:
4 a. If six trustees are to be elected, the four elected who
5 receive the highest number of votes are elected for four-year
6 terms. The remainder are elected for two-year terms. In case
7 of a tie, the county auditor shall determine by lot which of
8 the trustees with the lowest number of winning votes shall
9 serve two-year terms and thereafter their successors shall be
10 elected for regular terms as provided in section 347.9.
11 b. If five trustees are to be elected, the four elected who
12 receive the highest number of votes are elected for four-year
13 terms. The remaining trustee is elected for a two-year term.
14 In case of a tie, the county auditor shall determine by lot
15 which of the trustees with the lowest number of winning votes
16 shall serve the two-year term and thereafter their successors
17 shall be elected for regular terms as provided in section
18 347.9.
19 2. If there are five trustees on the board, if four trustees
20 are to be elected, the three elected who receive the highest
21 number of votes are elected for four-year terms. The remaining
22 trustee is elected for a two-year term. In case of a tie, the
23 county auditor shall determine by lot which of the trustees
24 with the lowest number of winning votes shall serve the
25 two-year term and thereafter their successors shall be elected
26 for regular terms as provided in section 347.9.

27 DIVISION V

28 TECHNICAL CHANGES

29 Sec. 12. Section 39A.3, subsection 1, paragraph a, Code
30 2019, is amended by adding the following new subparagraph:
31 NEW SUBPARAGRAPH. (5) Falsely or fraudulently signs
32 nomination papers on behalf of another person.
33 Sec. 13. Section 39A.3, subsection 1, Code 2019, is amended
34 by adding the following new paragraph:
35 NEW PARAGRAPH. c. *Miscellaneous offenses.* Uses voter

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1 registration information, including resale or redistribution
2 of the voter registration list without written permission of
3 the state registrar, for purposes other than those permitted
4 by section 48A.39.
5 Sec. 14. Section 39A.4, subsection 1, paragraph c,
6 subparagraph (5), Code 2019, is amended by striking the
7 subparagraph.
8 Sec. 15. Section 39A.6, Code 2019, is amended to read as
9 follows:

10 **39A.6 Technical infractions — notice.**

11 1. If the state commissioner or county commissioner becomes
12 aware of an apparent technical violation of a provision of
13 chapters 39 through 53, the state commissioner or county
14 commissioner may administratively provide a written notice
15 and letter of instruction to the responsible person regarding
16 proper compliance procedures.

17 2. If the state commissioner sends a notice of such a
18 technical infraction to a county commissioner, the state
19 commissioner may require a written explanation of the
20 occurrence, and measures that the person took to redress the
21 issues contained within the notice.

22 3. This notice is not a final determination of facts or law
23 in the matter, and does not entitle a person to a proceeding
24 under chapter 17A.

25 Sec. 16. Section 43.14, subsection 1, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *g.* The printed name, signature, address,
28 and phone number of the person responsible for circulating the
29 petition page. The petition page shall clearly indicate that a
30 candidate circulating the page shall provide the information
31 required by this paragraph.

32 Sec. 17. Section 43.14, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. a. Signatures on a petition page shall be counted only
35 if the information required in subsection 1 is written or

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1 printed at the top of the page.

2 b. Nomination papers on behalf of candidates for seats in
3 the general assembly need only designate the number of the
4 senatorial or representative district, as appropriate, and
5 not the county or counties, in which the candidate and the
6 petitioners reside.

7 c. A signature line shall not be counted if the line
8 lacks the signature of the eligible elector and the signer's
9 residential address, with street and number, if any, and city.
10 A signature line shall not be counted if an eligible elector
11 supplies only a partial address or a post office box address,
12 or if the signer's address is obviously outside the boundaries
13 of the district.

14 d. A signature line shall not be counted if any of the
15 required information is crossed out or redacted at the time
16 the nomination papers are filed with the state commissioner or
17 commissioner.

18 Sec. 18. Section 43.14, subsection 4, Code 2019, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *f.* Any other information required by section
21 43.18.

22 Sec. 19. Section 43.15, subsection 2, Code 2019, is amended
23 to read as follows:

24 2. Each signer shall add the signer's ~~residence~~ residential
25 address, with street and number, if any, and the date of
26 signing.
27 Sec. 20. Section 43.22, unnumbered paragraph 1, Code 2019,
28 is amended to read as follows:
29 The state commissioner shall, at least sixty-nine days
30 before a primary election, or as soon as practicable if an
31 objection under section 43.24 is pending, furnish to the
32 commissioner of each county a certificate under the state
33 commissioner's hand and seal, which certificate shall show:
34 Sec. 21. Section 43.24, subsection 1, paragraph b,
35 subparagraphs (1) and (2), Code 2019, are amended to read as

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1 follows:
2 (1) Those filed with the state commissioner, not less than
3 seventy-four days before the date of the election, or for
4 certificates of nomination filed under section 43.23, not less
5 than sixty-nine days before the date of the election.
6 (2) Those filed with the commissioner, not less than
7 ~~sixty-four~~ sixty-seven days before the date of the election, or
8 for certificates of nomination filed under section 43.23, not
9 less than sixty-two days before the date of the election.
10 Sec. 22. Section 45.5, subsection 1, Code 2019, is amended
11 by adding the following new paragraph:
12 **NEW PARAGRAPH. f.** The printed name, signature, address,
13 and phone number of the person responsible for circulating the
14 petition page.
15 Sec. 23. Section 45.5, subsection 2, Code 2019, is amended
16 to read as follows:
17 2. a. Signatures on a petition page shall be counted only
18 if the information required in subsection 1 is written or
19 printed at the top of the page.
20 b. Nomination papers on behalf of candidates for seats in
21 the general assembly need only designate the number of the
22 senatorial or representative district, as appropriate, and
23 not the county or counties, in which the candidate and the
24 petitioners reside.
25 c. A signature line in a nomination petition shall not be
26 counted if the line lacks the signature of the eligible elector
27 and the signer's residential address, with street and number,
28 if any, and city. A signature line shall not be counted if
29 an eligible elector supplies only a partial address or a post
30 office box address, or if the signer's address is obviously
31 outside the boundaries of the appropriate ward, city, school
32 district or school district director district, legislative
33 district, or other district.
34 d. A signature line shall not be counted if any of the
35 required information is crossed out or redacted at the time

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1 the nomination papers are filed with the state commissioner or
2 commissioner.

3 Sec. 24. Section 45.6, subsection 2, Code 2019, is amended
4 to read as follows:

5 2. Each signer shall add the signer's ~~residence~~ residential
6 address, with street and number, if any, and city.

7 Sec. 25. Section 47.1, subsection 6, Code 2019, is amended
8 to read as follows:

9 6. The state commissioner may, at the state commissioner's
10 discretion, examine the records of a commissioner to evaluate
11 complaints and to ensure compliance with the provisions
12 of chapters 39 through 53. This examination shall include
13 assessments conducted or authorized by private or government
14 entities to evaluate a county's security readiness for
15 elections-related technology or physical facilities. The state
16 commissioner shall adopt rules pursuant to chapter 17A to
17 require a commissioner to provide written explanations related
18 to examinations conducted pursuant to this subsection. Any
19 information that is requested by or in the possession of the
20 state commissioner pursuant to this chapter shall not lose its
21 confidential status pursuant to section 22.7, subsection 50.

22 Sec. 26. Section 47.1, Code 2019, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 7. The state commissioner may share
25 information a county provides to an appropriate government
26 agency to safeguard against cybersecurity or physical threats.

27 NEW SUBSECTION. 8. The state commissioner may adopt rules
28 pursuant to chapter 17A to create minimum security protocols
29 applicable to county commissioners of elections. If a county
30 fails to adhere to these protocols, the state commissioner may
31 limit access to the statewide voter registration system.

32 Sec. 27. Section 47.2, Code 2019, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 7. The county commissioner of elections
35 shall, to maintain election security, do all of the following:

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1 a. When the county commissioner believes that a
2 cybersecurity incident or data breach has occurred, the county
3 commissioner shall immediately inform the state commissioner
4 of elections.

5 b. If the county commissioner has no reason to believe
6 that a cybersecurity incident or data breach has occurred,
7 the county commissioner shall certify that fact to the state
8 commissioner on an annual basis.

9 Sec. 28. Section 47.7, subsection 2, paragraph d, Code 2019,
10 is amended to read as follows:

11 d. The state registrar shall prescribe by rule the
12 procedures for access to the state voter registration file,

13 ~~security requirements, and access protocols for adding,~~
14 ~~changing, or deleting information from the state voter~~
15 ~~registration file including all of the following:~~

16 (1) Access protocols for adding, changing, or deleting
17 information from the state voter registration file.

18 (2) Training requirements for all state voter registration
19 file users.

20 (3) Technology safeguards, including county information
21 technology network requirements, necessary to access the state
22 voter registration file.

23 (4) Breach incident response requirements and protocols on
24 all matters related to elections.

25 Sec. 29. Section 47.7, subsection 2, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. e. The state registrar may rescind access to
28 the statewide voter registration file from a user who is not in
29 compliance with the prescribed rules.

30 Sec. 30. Section 48A.9, subsection 4, Code 2019, is amended
31 to read as follows:

32 4. Registration forms submitted to voter registration
33 agencies, to motor vehicle driver's license stations, and to
34 county treasurer's offices participating in county issuance of
35 driver's licenses under chapter 321M shall be considered on

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1 time if they are received no later than ~~5:00~~ 11:59 p.m. on the
2 day registration closes for that election. Offices or agencies
3 other than the county commissioner's office are not required
4 to be open for voter registration purposes at times other than
5 their usual office hours.

6 Sec. 31. Section 48A.26, subsection 1, Code 2019, is amended
7 to read as follows:

8 1. a. Except as otherwise provided in ~~paragraph~~ paragraphs
9 "b" and "c" of this subsection, or section 48A.26A, within seven
10 working days of receipt of a voter registration form or change
11 of information in a voter registration record the commissioner
12 shall send an acknowledgment to the registrant at the mailing
13 address shown on the registration form. The acknowledgment
14 shall be sent by nonforwardable mail.

15 b. For a voter registration form or change of information
16 in a voter registration record submitted at a precinct caucus,
17 the commissioner shall send an acknowledgment within forty-five
18 days of receipt of the form or change of information.

19 c. For a voter registration form or change of information in
20 a voter registration record submitted within fourteen days of a
21 regularly scheduled election, the commissioner shall send an
22 acknowledgment within forty-eight hours of receipt of the form
23 or change of information.

24 Sec. 32. Section 49.11, Code 2019, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 4. Notice of changes made pursuant to

27 subsection 3 shall be reported to the state commissioner at
28 least twenty-five days before the next election in which the
29 temporary precinct will be active, or, for elections held
30 pursuant to section 69.14 while the general assembly is in
31 session or within forty-five days of the convening of a session
32 of the general assembly, at least ten days before election day.
33 Sec. 33. Section 49.31, subsection 1, paragraph a, Code
34 2019, is amended to read as follows:
35 a. All ballots shall be arranged with the names of

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1 candidates for each office listed below the office title.
2 For partisan elections the name of the political party or
3 organization which nominated each candidate shall be listed
4 after or below each candidate's name. The state commissioner
5 may prescribe, and a county commissioner may use, uniform
6 abbreviations for political parties and organizations.
7 Sec. 34. Section 49.57, subsection 2, Code 2019, is amended
8 to read as follows:
9 2. After the name of each candidate for a partisan office
10 the name of the candidate's political party shall be printed
11 in at least six point type. The names of political parties
12 and nonparty political organizations may be abbreviated on
13 the remainder of the ballot if both the full name and the
14 abbreviation appear in the voter instruction area of the
15 ballot.
16 Sec. 35. Section 50.51, subsection 6, Code 2019, is amended
17 to read as follows:
18 6. The state commissioner shall adopt rules, pursuant
19 to chapter 17A, to implement this section, which may include
20 the establishment of pilot programs related to post-election
21 audits.
22 Sec. 36. NEW SECTION. 53.1A Rules.
23 The state commissioner shall adopt rules pursuant to chapter
24 17A for the implementation of this chapter.
25 Sec. 37. Section 53.8, subsection 1, paragraph a,
26 unnumbered paragraph 1, Code 2019, is amended to read as
27 follows:
28 Upon receipt of an application for an absentee ballot
29 and immediately after the absentee ballots are printed,
30 but not more than twenty-nine days before the election, the
31 commissioner shall mail an absentee ballot to the applicant
32 within twenty-four hours, except as otherwise provided in
33 subsection 3. When the United States post office is closed
34 in observance of a federal holiday and is not delivering mail
35 on the twenty-ninth day before the election, the first day to

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1 mail absentee ballots is the next business day on which mail
2 delivery is available. The absentee ballot shall be sent to

3 the registered voter by one of the following methods:

4 Sec. 38. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 DIVISION VI

7 MISCELLANEOUS PROVISIONS

8 Sec. 39. Section 54.9, Code 2019, is amended to read as
9 follows:

10 **54.9 Compensation.**

11 The electors shall each receive a compensation of
12 ~~five dollars one-half of the federal general services~~
13 ~~administration's per diem rate for the relevant date and~~
14 ~~location~~ for every day's attendance, and the same mileage as
15 members of the general assembly which shall be paid from funds
16 not otherwise appropriated from the general fund of the state.

17 Sec. 40. Section 68.9, subsection 1, Code 2019, is amended
18 to read as follows:

19 1. When an impeachment is presented, the senate shall, ~~after~~
20 ~~the hour of final adjournment of the legislature as soon as~~
21 ~~practicable~~, be ~~forthwith~~ organized as a court of impeachment
22 for the trial thereof, at the capitol.

23 Sec. 41. Section 68.14, Code 2019, is amended to read as
24 follows:

25 **68.14 Compensation — fees — payment.**

26 The presiding officer and members of the senate, while
27 sitting as a court of impeachment, and the managers elected
28 by the house of representatives, shall ~~receive the sum of~~
29 ~~six dollars each per day~~ be compensated the same as for a
30 special session of the general assembly, but shall receive
31 no additional compensation during a regular session of the
32 general assembly, and shall be reimbursed for mileage expense
33 in going from and returning to their places of residence by the
34 ordinary traveled routes; the secretary, sergeant at arms, and
35 all subordinate officers, clerks, and reporters, shall receive

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1 such amount as shall be determined upon by a majority vote of
2 the members of such court. The same fees shall be allowed to
3 witnesses, to officers, and to other persons serving process or
4 orders, as are allowed for like services in criminal cases, but
5 no fees can be demanded in advance. The state treasurer shall,
6 upon the presentation of certificates signed by the presiding
7 officer and secretary of the senate, pay all of the foregoing
8 compensations and the expenses of the senate incurred under the
9 provisions of this chapter.

10 DIVISION VII

11 NOMINATIONS BY PETITION

12 Sec. 42. Section 43.20, subsection 1, Code 2019, is amended
13 by striking the subsection and inserting in lieu thereof the
14 following:

15 1. Nomination papers shall be signed by eligible electors as
16 provided in section 45.1.

17 Sec. 43. Section 45.1, subsections 1, 2, 3, 4, 5, 6, 8, and
18 9, Code 2019, are amended to read as follows:

19 1. Nominations for candidates for president and vice
20 president, governor and lieutenant governor, and ~~for other~~
21 ~~statewide elected offices~~ United States senator may be made by
22 nomination petitions signed by not less than ~~one thousand five~~
23 ~~hundred~~ four thousand eligible electors ~~residing in, including~~
24 at least two hundred eligible electors from not less than ten
25 counties of the state.

26 2. Nominations for candidates for a representative in
27 the United States house of representatives may be made by
28 nomination petitions signed by not less than ~~the number of~~
29 ~~eligible electors equal to the number of signatures required in~~
30 ~~subsection 1 divided by the number of congressional districts.~~
31 ~~Signers of the petition shall be eligible electors who are~~
32 ~~residents of the congressional district~~ two thousand eligible
33 electors who are residents of the congressional district,
34 including seventy-seven eligible electors from at least
35 one-half of the counties in the congressional district.

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1 3. Nominations for candidates for the state senate may
2 be made by nomination petitions signed by not less than ~~one~~
3 two hundred eligible electors who are residents of the senate
4 district.

5 4. Nominations for candidates for the state house of
6 representatives may be made by nomination petitions signed
7 by not less than ~~fifty~~ one hundred eligible electors who are
8 residents of the representative district.

9 5. Nominations for candidates for offices filled by the
10 voters of a whole county may be made by nomination petitions
11 signed by at least two hundred eligible electors who are
12 residents of the county ~~equal in number to at least one percent~~
13 ~~of the number of registered voters in the county on July 1 in~~
14 ~~the year preceding the year in which the office will appear on~~
15 ~~the ballot, or by at least two hundred fifty eligible electors~~
16 ~~who are residents of the county, whichever is less.~~

17 6. Nominations for candidates for the office of county
18 supervisor elected by the voters of a supervisor district may
19 be made by nomination petitions signed by at least two hundred
20 eligible electors who are residents of the supervisor district
21 ~~equal in number to at least one percent of the number of~~
22 ~~registered voters in the supervisor district on July 1 in the~~
23 ~~year preceding the year in which the office will appear on the~~
24 ~~ballot, or by at least one hundred fifty eligible electors who~~
25 ~~are residents of the supervisor district, whichever is less.~~

26 8. Nominations for candidates for elective offices in
27 cities where the council has adopted nominations under this
28 chapter may be submitted as follows:

29 a. Except as otherwise provided in subsection 9, in cities
30 having a population of ~~three thousand five hundred~~ twenty

31 thousand or greater according to the most recent federal
 32 decennial census, nominations may be made by nomination papers
 33 signed by not less than ~~twenty-five~~ one hundred eligible
 34 electors who are residents of the city or ward.
 35 b. In cities having a population of ~~one hundred~~ five

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1 thousand or greater, but less than ~~three thousand five hundred~~
 2 twenty thousand, according to the most recent federal decennial
 3 census, nominations may be made by nomination papers signed by
 4 not less than ~~ten~~ fifty eligible electors who are residents of
 5 the city or ward.
 6 c. In cities having a population ~~less than one hundred one~~
 7 thousand or greater, but less than five thousand, according
 8 to the most recent federal decennial census, nominations may
 9 be made by nomination papers signed by not less than ~~five~~
 10 twenty-five eligible electors who are residents of the city.
 11 d. In cities having a population less than one thousand,
 12 according to the most recent federal decennial census,
 13 nominations may be made by nomination papers signed by not less
 14 than ten eligible electors who are residents of the city.
 15 9. Nominations for ~~candidates, other than partisan~~
 16 ~~candidates, for elective offices~~ the office of mayor, alderman
 17 at large, and ward alderman in special charter cities subject
 18 to section 43.112 may be ~~submitted as follows:~~ made by
 19 nomination papers signed by not less than one hundred eligible
 20 electors residing in the city.
 21 a. ~~For the office of mayor and alderman at large,~~
 22 ~~nominations may be made by nomination papers signed by eligible~~
 23 ~~electors residing in the city equal in number to at least two~~
 24 ~~percent of the total vote received by all candidates for mayor~~
 25 ~~at the last preceding city election.~~
 26 b. ~~For the office of ward alderman, nominations may be made~~
 27 ~~by nomination papers signed by eligible electors residing in~~
 28 ~~the ward equal in number to at least two percent of the total~~
 29 ~~vote received by all candidates for ward alderman in that ward~~
 30 ~~at the last preceding city election.~~
 31 Sec. 44. Section 45.1, Code 2019, is amended by adding the
 32 following new subsection:
 33 NEW SUBSECTION. 02. Nominations for candidates for
 34 statewide offices other than those listed in subsection 1 may
 35 be made by nomination petitions signed by not less than two

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1 thousand five hundred eligible electors, including at least one
 2 hundred twenty-five eligible electors from not less than ten
 3 counties of the state.

DIVISION VIII CONDUCT OF ELECTIONS

6 Sec. 45. Section 39.2, subsection 4, paragraphs a, b, and c,

7 Code 2019, are amended to read as follows:

8 a. For a county, ~~on the day of the general election, on~~
 9 ~~the day of the regular city election, on the date of a special~~
 10 ~~election held to fill a vacancy in the same county, or on the~~
 11 ~~first Tuesday in March in an odd-numbered year, the first~~
 12 ~~Tuesday in May March, or the first second Tuesday in August~~
 13 ~~of each year September, or the first Tuesday after the first~~
 14 ~~Monday in November. For a county, in an even-numbered year,~~
 15 ~~the first Tuesday in March or the second Tuesday in September.~~
 16 b. For a city, ~~on the day of the general election, on the~~
 17 ~~day of the regular city election, on the date of a special~~
 18 ~~election held to fill a vacancy in the same city, or on the~~
 19 ~~first Tuesday in March in an odd-numbered year, the first~~
 20 ~~Tuesday in May March, or the first second Tuesday in August~~
 21 ~~of each year September, or the first Tuesday after the first~~
 22 ~~Monday in November. For a city, in an even-numbered year, the~~
 23 ~~first Tuesday in March or the second Tuesday in September.~~
 24 c. For a school district or merged area, in the odd-numbered
 25 year, the first Tuesday in ~~February March, the first Tuesday in~~
 26 ~~April, the last second Tuesday in June September, or the second~~
 27 ~~first Tuesday after the first Monday in September November.~~
 28 For a school district or merged area, in the even-numbered
 29 year, the first Tuesday in ~~February, the first Tuesday in~~
 30 ~~April March, or the second Tuesday in September, or the second~~
 31 ~~Tuesday in December.~~

32 Sec. 46. Section 39.12, Code 2019, is amended to read as
 33 follows:

34 **39.12 Failure to vacate.**

35 An elected official who has been elected to another elective

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1 office to which section 39.11 applies shall choose only one
 2 office in which to serve. The official shall resign from all
 3 but one of the offices to which section 39.11 applies before
 4 the beginning of the term of the office to which the person
 5 was most recently elected. Failure to submit the required
 6 resignation will result in a vacancy in ~~all the first~~ elective
 7 ~~offices office~~ to which the person was elected.

8 Sec. 47. Section 43.11, subsection 1, Code 2019, is amended
 9 to read as follows:

10 1. For an elective county office, in the office of the
 11 county commissioner not earlier than ninety-two days nor later
 12 than 5:00 p.m. on the ~~sixty ninth~~ seventy-fourth day before the
 13 day fixed for holding the primary election.

14 Sec. 48. Section 43.16, subsection 2, paragraph b, Code
 15 2019, is amended to read as follows:

16 b. A person who has filed nomination papers with the
 17 commissioner may withdraw as a candidate not later than the
 18 ~~sixty seventh~~ sixty-ninth day before the primary election by
 19 notifying the commissioner in writing.

20 Sec. 49. Section 43.23, Code 2019, is amended to read as

21 follows:

22 **43.23 Death or withdrawal of primary candidate.**

23 1. If a person who has filed nomination papers with the
24 state commissioner as a candidate in a primary election dies
25 or withdraws up to the seventy-sixth day before the primary
26 election, the appropriate convention or central committee of
27 that person's political party may designate one ~~additional~~
28 primary election candidate for the nomination that person
29 was seeking, if the designation is submitted to the state
30 commissioner in writing by 5:00 p.m. on the seventy-first day
31 before the date of the primary election. The name of any
32 candidate so submitted shall be included in the appropriate
33 certificate or certificates furnished by the state commissioner
34 under section 43.22.

35 2. If a person who has filed nomination papers with the

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1 commissioner as a candidate in a primary election dies or
2 withdraws up to the ~~sixty-seventh~~ sixty-ninth day before
3 the primary election, the appropriate convention or central
4 committee of that person's political party may designate one
5 ~~additional~~ primary election candidate for the nomination
6 that person was seeking, if the designation is submitted to
7 the commissioner in writing by 5:00 p.m. on the ~~sixty-third~~
8 sixty-fourth day before the primary election. The name of
9 any candidate so submitted shall be placed on the appropriate
10 ballot or ballots by the commissioner.

11 Sec. 50. Section 43.30, subsection 2, Code 2019, is amended
12 to read as follows:

13 2. The commissioner shall make sample ballots available to
14 the public upon request. The sample ballots shall be clearly
15 marked as sample ballots. A reasonable fee may be charged for
16 printing costs if a person requests multiple copies of sample
17 ballots. The commissioner shall not distribute sample ballots
18 except as provided in this subsection.

19 Sec. 51. Section 43.36, Code 2019, is amended to read as
20 follows:

21 **43.36 Australian ballot.**

22 The Australian ballot system as now used in this state,
23 except as herein modified, shall be used at said primary
24 election. The endorsement of the precinct election officials
25 and the ~~facsimile of the commissioner's signature~~ county
26 seal shall appear upon the ballots as provided for general
27 elections.

28 Sec. 52. Section 43.78, subsection 2, Code 2019, is amended
29 to read as follows:

30 2. The name of any candidate designated to fill a vacancy
31 on the general election ballot in accordance with subsection
32 1, paragraph "a", "b", or "c" shall be submitted in writing
33 to the state commissioner not later than 5:00 p.m. on the
34 ~~seventy-third~~ seventy-sixth day before the date of the general

35 election.

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1 Sec. 53. Section 43.79, Code 2019, is amended to read as
2 follows:

3 **43.79 Death of candidate after time for withdrawal.**

4 The death of a candidate nominated as provided by law for any
5 office to be filled at a general election, during the period
6 beginning on the ~~eighty-first~~ seventy-fifth day before the
7 general election, in the case of any candidate whose nomination
8 papers were filed with the state commissioner, or beginning
9 on the seventy-third day before the general election, in the
10 case of any candidate whose nomination papers were filed with
11 the commissioner, and ending ~~on the last day before at the~~
12 time the polls close on the day of the general election shall
13 not operate to remove the deceased candidate's name from the
14 general election ballot. If the deceased candidate was seeking
15 the office of senator or representative in the Congress of
16 the United States, governor, attorney general, senator or
17 representative in the general assembly or county supervisor,
18 section 49.58 shall control. If the deceased candidate was
19 seeking any other office, and as a result of the candidate's
20 death a vacancy is subsequently found to exist, the vacancy
21 shall be filled as provided by chapter 69.

22 Sec. 54. Section 44.1, Code 2019, is amended to read as
23 follows:

24 **44.1 Political nonparty organizations.**

25 Any convention or caucus of eligible electors representing
26 a political organization which is not a political party as
27 defined by law, may, for the state, or for any division or
28 municipality thereof, or for any county, or for any subdivision
29 thereof, for which such convention or caucus is held, make one
30 nomination of a candidate for each office to be filled therein
31 at the general election. However, in order to qualify for
32 any nomination made for a statewide elective office by such
33 a political organization there shall be in attendance at the
34 convention or caucus where the nomination is made a minimum of
35 ~~two hundred fifty~~ five hundred eligible electors including at

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1 least one eligible elector from each of twenty-five counties.
2 In order to qualify for any nomination to the office of United
3 States representative there shall be in attendance at the
4 convention or caucus where the nomination is made a minimum
5 of ~~fifty two hundred~~ eligible electors who are residents of
6 the congressional district including at least one eligible
7 elector from each of at least one-half of the counties of
8 the congressional district. In order to qualify for any
9 nomination to an office to be filled by the voters of a county
10 or of a city there shall be in attendance at the convention or

11 caucus where the nomination is made a minimum of ~~ten~~ twenty
12 eligible electors who are residents of the county or city,
13 as the case may be, including at least one eligible elector
14 from at least one-half of the voting precincts in that county
15 or city. In order to qualify for any nomination made for
16 the general assembly there shall be in attendance at the
17 convention or caucus where the nomination is made a minimum
18 of ~~ten~~ twenty-five eligible electors who are residents of the
19 representative district or ~~twenty~~ fifty eligible electors who
20 are residents of the senatorial district, as the case may be,
21 with at least one eligible elector from one-half of the voting
22 precincts in the district in each case. The names of all
23 delegates in attendance at such convention or caucus and such
24 fact shall be certified to the state commissioner together with
25 the other certification requirements of this chapter.

26 Sec. 55. Section 44.4, Code 2019, is amended to read as
27 follows:

28 **44.4 Nominations and objections — time and place of filing.**

29 1. a. Nominations made pursuant to this chapter and
30 chapter 45 which are required to be filed in the office of the
31 state commissioner shall be filed in that office not more than
32 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
33 ~~eighty-first~~ day before the ~~date of the general election to be~~
34 ~~held in November~~ first Tuesday after the first Monday in June
35 in each even-numbered year. Nominations made for a special

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1 election called pursuant to section 69.14 shall be filed by
2 5:00 p.m. not less than twenty-five days before the date of
3 an election called upon at least forty days' notice and not
4 less than fourteen days before the date of an election called
5 upon at least eighteen days' notice. Nominations made for
6 a special election called pursuant to section 69.14A shall
7 be filed by 5:00 p.m. not less than twenty-five days before
8 the date of the election. Nominations made pursuant to this
9 chapter and chapter 45 which are required to be filed in the
10 office of the commissioner shall be filed in that office not
11 more than ninety-two days nor later than 5:00 p.m. on the
12 ~~sixty-ninth~~ seventy-fourth day before the ~~date of the general~~
13 ~~election~~ first Tuesday after the first Monday in June in each
14 even-numbered year. Nominations made pursuant to this chapter
15 or chapter 45 for city office shall be filed not more than
16 seventy-two days nor later than 5:00 p.m. on the forty-seventh
17 day before the city election with the county commissioner
18 of elections responsible under section 47.2 for conducting
19 elections held for the city, who shall process them as provided
20 by law.
21 b. Notwithstanding paragraph "a", nominations for president
22 and vice president of the United States shall be filed in the
23 office of the state commissioner not more than ninety-nine days
24 nor later than 5:00 p.m. on the eighty-first day before the

25 date of the general election to be held in November.

26 2. *a.* Objections to the legal sufficiency of a certificate
27 of nomination or nomination petition or to the eligibility
28 of a candidate may be filed by any person who would have the
29 right to vote for a candidate for the office in question.

30 The objections must be filed with the officer with whom the
31 certificate or petition is filed and within the following time:

32 (1) Those filed with the state commissioner, not less than
33 ~~sixty-eight~~ seventy-four days before the date of the election.

34 (2) Those filed with the commissioner, not less than
35 sixty-four days before the date of the election, except as

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1 provided in subparagraph (3).

2 (3) Those filed with the commissioner for an elective city
3 office, at least forty-two days before the regularly scheduled
4 or special city election. However, for those cities that may
5 be required to hold a primary election, at least sixty-three
6 days before the regularly scheduled or special city election.

7 (4) In the case of nominations to fill vacancies occurring
8 after the time when an original nomination for an office is
9 required to be filed, objections shall be filed within three
10 days after the filing of the certificate.

11 *b.* Objections shall be filed no later than 5:00 p.m. on the
12 final date for filing.

13 Sec. 56. Section 44.9, subsections 1 and 2, Code 2019, are
14 amended to read as follows:

15 1. In the office of the state commissioner, ~~at least~~
16 ~~sixty-eight days before the date of the election~~ as provided
17 in section 43.76.

18 2. In the office of the appropriate commissioner, ~~at least~~
19 ~~sixty-four days before the date of the election, except as~~
20 ~~otherwise provided in subsection 6~~ as provided in section
21 43.76.

22 Sec. 57. Section 47.2, Code 2019, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 7. The county commissioner shall not
25 participate in an absentee ballot drive or collection effort in
26 cooperation with a candidate, candidate's committee, political
27 party, or nonparty political organization.

28 Sec. 58. NEW SECTION. **47.12 Electronic poll books —**
29 **mandatory.**

30 Each county commissioner of elections shall, by February 26,
31 2020, ensure that each election precinct uses an electronic
32 poll book.

33 Sec. 59. Section 48A.9, subsection 1, Code 2019, is amended
34 to read as follows:

35 1. Registration closes at 5:00 p.m. eleven days before each

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1 election ~~except general elections. For general elections,~~
2 ~~registration closes at 5:00 p.m. ten days before the election.~~
3 An eligible elector may register during the time registration
4 is closed in the elector's precinct but the registration shall
5 not become effective until registration opens again in the
6 elector's precinct, except as otherwise provided in section
7 48A.7A.

8 Sec. 60. NEW SECTION. **49.2 Oversight by the state**
9 **commissioner.**

10 The state commissioner, or a designee of the state
11 commissioner, may, at the discretion of the state commissioner,
12 oversee the activities of a county commissioner of elections
13 during a period beginning sixty days before an election and
14 ending sixty days after an election. For the purposes of this
15 section, "oversee" means to observe election-related activity,
16 correct any activity not in accordance with law, and issue a
17 written notice and instructions pursuant to section 39A.6 for
18 any technical infractions that are observed.

19 Sec. 61. Section 49.21, Code 2019, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 4. The commissioner shall remove or obscure
22 from the view of voters any published material displaying the
23 name of a candidate or elected official other than a ballot or
24 sample ballot or envelope.

25 Sec. 62. NEW SECTION. **49.42B Form of official ballot —**
26 **candidates for president and vice president.**

27 When candidates for president and vice president of the
28 United States appear on the ballot, the following statement
29 shall appear directly above the section of the ballot listing
30 such candidates:

31 [A ballot cast for the named candidates for president
32 and vice president of the United States is considered to be
33 cast for the slate of presidential electors nominated by
34 the political party, nonparty political organization, or
35 independent candidate.]

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1 Sec. 63. NEW SECTION. **49.49 Certain sample ballots**
2 **prohibited.**

3 The commissioner and state commissioner of elections shall
4 not distribute or authorize the distribution of sample ballots
5 to voters other than as provided in sections 49.53 and 52.29.

6 Sec. 64. Section 49.51, Code 2019, is amended to read as
7 follows:

8 **49.51 Commissioner to control printing.**

9 The commissioner shall have charge of the printing of the
10 ballots to be used for any election held in the county, unless
11 the commissioner delegates that authority as permitted by this
12 section. The commissioner may delegate this authority only

13 to another commissioner who is responsible under section 47.2
14 for conducting the elections held for a political subdivision
15 which lies in more than one county, and only with respect to
16 printing of ballots containing only public questions or the
17 names of candidates to be voted upon by the registered voters
18 of that political subdivision. Only one ~~facsimile signature~~
19 county seal, that of the ~~county of the~~ commissioner under
20 whose direction the ballot is printed, shall appear on the
21 ballot. It is the duty of the commissioner to insure that the
22 arrangement of any ballots printed under the commissioner's
23 direction conforms to all applicable requirements of this
24 chapter.

25 Sec. 65. Section 49.57, subsection 6, Code 2019, is amended
26 to read as follows:

27 6. A portion of the ballot shall include the words "Official
28 ballot", the unique identification number or name assigned by
29 the commissioner to the ballot style, the date of the election,
30 and ~~a facsimile of the signature~~ the county seal of the ~~county~~
31 of the commissioner who has caused the ballot to be printed
32 pursuant to section 49.51.

33 Sec. 66. Section 49.58, subsection 1, Code 2019, is amended
34 to read as follows:

35 1. If any candidate nominated by a political party,

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1 as defined in section 43.2, for the office of senator or
2 representative in the Congress of the United States, governor,
3 attorney general, or senator or representative in the general
4 assembly dies during the period beginning on the ~~eighty-eighth~~
5 eighty-first day and ending at the time the polls close on the
6 ~~last day before~~ of the general election, or if any candidate
7 so nominated for the office of county supervisor dies during
8 the period beginning on the ~~seventy-third~~ seventy-fourth day
9 and ending at the time the polls close on the ~~last day before~~
10 of the general election, the vote cast at the general election
11 for that office shall not be canvassed as would otherwise be
12 required by chapter 50. Instead, a special election shall be
13 held on the first Tuesday after the second Monday in December,
14 for the purpose of electing a person to fill that office.

15 Sec. 67. Section 49.73, subsection 2, Code 2019, is amended
16 to read as follows:

17 2. a. The commissioner shall not shorten voting hours for
18 any election if there is filed in the commissioner's office, at
19 least twenty-five days before the election, a petition signed
20 by at least fifty eligible electors of the school district
21 or city, as the case may be, requesting that the polls be
22 opened not later than 7:00 a.m. All polling places where the
23 candidates of or any public question submitted by any one
24 political subdivision are being voted upon shall be opened at
25 the same hour, except that this requirement shall not apply
26 to merged areas established under chapter 260C. The hours at

27 which the respective precinct polling places are to open shall
 28 not be changed after publication of the notice required by
 29 section 49.53. The polling places shall be closed at ~~9:00 p.m.~~
 30 ~~for state primary and general elections and other partisan~~
 31 ~~elections, and for any other election held concurrently~~
 32 ~~therewith, and at 8:00 p.m. for all other elections.~~
 33 b. The legislative services agency shall place on the
 34 internet site of the agency information regarding the opening
 35 and closing times of polling places until and including

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1 November 7, 2023. This paragraph is repealed effective July
 2 1, 2024.
 3 Sec. 68. Section 49.82, Code 2019, is amended to read as
 4 follows:
 5 **49.82 Voter to receive one ballot — endorsement.**
 6 When an empty voting booth is available, one of the precinct
 7 election officials shall endorse the official's initials on
 8 each ballot the voter will receive. The initials shall be
 9 placed so that they may be seen when the ballot is properly
 10 folded or enclosed in a secrecy folder. The name or signature
 11 of the commissioner shall not appear on the ballot except as
 12 part of the list of candidates when the commissioner is a
 13 candidate for election. The official shall give the voter one
 14 and only one of each of the ballots to be voted at that election
 15 in that precinct, except as provided by section 49.100. No
 16 ballot without the required official endorsement shall be
 17 placed in the ballot box.
 18 Sec. 69. Section 49A.6, Code 2019, is amended to read as
 19 follows:
 20 **49A.6 Certification — sample ballot.**
 21 The state commissioner of elections shall, not less than
 22 ~~sixty-nine~~ sixty-three days preceding any election at which a
 23 constitutional amendment or public measure is to be submitted
 24 to a vote of the entire people of the state, transmit to the
 25 county commissioner of elections of each county a certified
 26 copy of the amendment or measure and a sample of the ballot to
 27 be used in such cases, prepared in accordance with law.
 28 Sec. 70. Section 50.44, Code 2019, is amended to read as
 29 follows:
 30 **50.44 Tie vote.**
 31 1. If Except as otherwise provided in this subsection,
 32 if more than the requisite number of persons, including
 33 presidential electors, are found to have an equal and the
 34 highest number of votes, the election of one of them shall be
 35 determined by lot. The name of each of such candidates shall

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1 be written on separate pieces of paper, as nearly uniform in
 2 size and material as possible, and placed in a receptacle so

that the names cannot be seen. In the presence of the board of canvassers, one of them shall publicly draw one of such names, and such person shall be declared elected. The result of such drawing shall be entered upon the abstract of votes and duly recorded, and a certificate of election issued to such person, as provided in this chapter.

2. If more than the requisite number of candidates for United States senator or representative to the United States house of representatives are found to have an equal and highest number of votes, a special election shall be held sixty-six days after the final canvass or recount, whichever is later, in which each such candidate shall be the only candidates on the ballot.

3. If more than the requisite number of candidates for a statewide elected office, member of the general assembly, member of a board of supervisors, or a partisan office to be filled by a vote of the residents of a whole county, are found to have an equal and highest number of votes, a special election shall be held consistent with section 69.14, in which each such candidate shall be the only candidates on the ballot.

4. If more than the requisite number of presidential electors are found to have an equal and the highest number of votes, the presidential electors shall be assigned one-half to each candidate. If there is an odd number of presidential electors, the remaining elector shall be assigned by lot.

Sec. 71. Section 50.48, subsection 3, Code 2019, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. In addition to the persons listed in paragraph "a", the candidate requesting the recount and the apparent winning candidate may each submit a request to a commissioner from a county other than the county conducting the recount to be present at the recount. Such a commissioner may report any irregularities observed by the commissioner at any

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1 time after the election to the state commissioner.

2 Sec. 72. Section 50.48, subsection 4, paragraph b, Code 2019, is amended to read as follows:

3 b. Any member of the recount board may at any time during
4 the recount proceedings for an election for a statewide
5 elected official as defined in section 68B.2 or a United States
6 senator extend the recount of votes cast for the office or
7 nomination in question to any other precinct or precincts in
8 the same county, or from which the returns were reported to
9 the commissioner responsible for conducting the election,
10 without the necessity of posting additional bond. The recount
11 proceedings for an election for any other office shall include
12 all precincts in which a ballot for the election was cast.

13 Sec. 73. **NEW SECTION. 50.52 Enforcement.**

14 Members of local law enforcement agencies and the state
15 patrol are authorized to take all reasonable actions to prevent

17 violations of this chapter.

18 Sec. 74. Section 53.2, subsection 4, paragraph b, Code 2019,
19 is amended to read as follows:

20 b. If insufficient information has been provided, including
21 the absence of a voter verification number, either on the
22 prescribed form or on an application created by the applicant,
23 the commissioner shall, ~~by the best means available, obtain~~
24 ~~the additional necessary information within twenty-four hours~~
25 after the receipt of the absentee ballot request, contact the
26 applicant by telephone and electronic mail, if such information
27 has been provided by the applicant. If the commissioner is
28 unable to contact the applicant by telephone or electronic
29 mail, the commissioner shall send a notice to the applicant
30 at the address where the applicant is registered to vote, or
31 to the applicant's mailing address if it is different from
32 the residence address. If the applicant has requested the
33 ballot to be sent to an address that is not the applicant's
34 residential or mailing address, the commissioner shall send an
35 additional notice to the address where the applicant requested

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1 the ballot to be sent. A commissioner shall not use the voter
2 registration system to obtain additional necessary information.
3 A voter requesting or casting a ballot pursuant to section
4 53.22 shall not be required to provide a voter verification
5 number. The state commissioner shall adopt rules to implement
6 this section.

7 Sec. 75. Section 53.2, subsection 4, Code 2019, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. d. If an applicant does not have current
10 access to the applicant's voter verification number, the
11 commissioner shall verify the applicant's identity prior to
12 supplying the voter verification number by asking the applicant
13 to provide at least two of the following facts about the
14 applicant:

- 15 (1) Date of birth.
- 16 (2) The last four digits of the applicant's social security
17 number, if applicable.
- 18 (3) Residential address.
- 19 (4) Mailing address.
- 20 (5) Middle name.
- 21 (6) Voter verification number as defined in paragraph "c".

22 Sec. 76. Section 53.10, subsection 2, paragraph a, Code
23 2019, is amended to read as follows:

24 a. Each person who wishes to vote by absentee ballot at
25 the commissioner's office shall first sign an application
26 for a ballot including the following information: name,
27 current address, voter verification number, and the election
28 for which the ballot is requested. The person may report a
29 change of address or other information on the person's voter
30 registration record at that time. Prior to furnishing a

31 ballot, the commissioner shall verify the person's identity
32 as provided in section 49.78. The registered voter shall
33 immediately mark the ballot; enclose the ballot in a secrecy
34 envelope, if necessary, and seal it in the envelope marked
35 with the affidavit; subscribe to the affidavit on the reverse

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1 side of the envelope; and return the absentee ballot to the
2 commissioner. The commissioner shall record the numbers
3 appearing on the application and affidavit envelope along with
4 the name of the registered voter.
5 Sec. 77. Section 53.10, subsection 2, Code 2019, is amended
6 by adding the following new paragraph:
7 NEW PARAGRAPH. c. If an unregistered person offering to
8 vote an absentee ballot pursuant to this section prior to
9 the deadline in section 48A.9 does not have an Iowa driver's
10 license, an Iowa nonoperator's identification card, or a voter
11 identification number assigned to the voter by the state
12 commissioner pursuant to section 47.7, subsection 2, the person
13 may satisfy identity and residence requirements as provided in
14 section 49.78. This section shall also apply to a registered
15 voter casting a ballot pursuant to this section who has not yet
16 received a voter verification number.
17 Sec. 78. Section 53.11, subsection 1, paragraph a, Code
18 2019, is amended to read as follows:
19 a. Not more than twenty-nine days before the date of
20 an election, satellite absentee voting stations ~~may be~~
21 established throughout the cities and county at the direction
22 of the commissioner and shall be established upon receipt
23 of a petition signed by not less than one hundred eligible
24 electors requesting that a satellite absentee voting station be
25 established at a location to be described on the petition, and
26 may be established at the direction of the commissioner in the
27 case of a special election. However, if a special election is
28 scheduled in the county on a date that falls between the date
29 of the regular city election and the date of the city runoff
30 election, the commissioner is not required to establish a
31 satellite absentee voting station for the city runoff election.
32 Sec. 79. Section 53.11, subsection 2, paragraph e, Code
33 2019, is amended to read as follows:
34 e. For a special election, no later than ~~thirty-two~~ eighteen
35 days before the special election.

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1 Sec. 80. Section 53.11, Code 2019, is amended by adding the
2 following new subsection:
3 NEW SUBSECTION. 6. The commissioner shall remove or obscure
4 from the view of voters any published material displaying the
5 name of a candidate or elected official other than a ballot or
6 sample ballot or envelope.

7 Sec. 81. Section 53.18, subsections 2 and 3, Code 2019, are
8 amended to read as follows:

9 2. a. If the commissioner receives the return envelope
10 containing the completed absentee ballot by 5:00 p.m. on the
11 Saturday before the election for general elections and by 5:00
12 p.m. on the Friday before the election for all other elections,
13 the commissioner shall review the affidavit marked on the
14 return envelope, if applicable, for completeness or shall open
15 the return envelope to review the affidavit for completeness.
16 ~~If the affidavit is incomplete, the commissioner shall, within~~
17 ~~twenty-four hours of the time the envelope was received,~~
18 ~~notify the voter of that fact and that the voter may complete~~
19 ~~the affidavit in person at the office of the commissioner by~~
20 ~~5:00 p.m. on the day before the election, vote a replacement~~
21 ~~ballot in the manner and within the time period provided in~~
22 ~~subsection 3, or appear at the voter's precinct polling place~~
23 ~~on election day and cast a ballot in accordance with section~~
24 ~~53.19, subsection 3.~~

25 (1) If the affidavit lacks the signature of the registered
26 voter, the commissioner shall, within twenty-four hours of the
27 receipt of the envelope, notify the voter of the deficiency
28 and inform the voter that the voter may vote a replacement
29 ballot as provided in subsection 3, cast a ballot as provided
30 in section 53.19, subsection 3, or complete the affidavit in
31 person at the office of the commissioner not later than noon on
32 the Monday following the election, or if the law authorizing
33 the election specifies that the votes be canvassed earlier than
34 the Monday following the election, before the canvass of the
35 election.

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1 (2) If the affidavit appears to have been signed by someone
2 other than the registered voter, the commissioner shall, within
3 twenty-four hours of the receipt of the envelope, notify the
4 voter of the deficiency and inform the voter that the voter may
5 vote a replacement ballot as provided in subsection 3, cast a
6 ballot as provided in section 53.19, subsection 3, or complete
7 the affidavit in person at the office of the commissioner by
8 providing proof of identity as provided in section 49.78 not
9 later than noon on the Monday following the election, or if
10 the law authorizing the election specifies that the votes be
11 canvassed earlier than the Monday following the election,
12 before the canvass of the election.

13 b. If the commissioner receives the return envelope
14 containing the completed absentee ballot after the deadline
15 in paragraph "a", the commissioner shall submit the affidavit
16 to the absentee and special voters precinct board for review.
17 If the absentee and special voters precinct determines that
18 the affidavit is incomplete, the commissioner shall, within
19 twenty-four hours of the determination, notify the voter.

20 (1) If the affidavit lacks the signature of the registered

21 voter, the commissioner shall notify the voter that the voter
22 may complete the affidavit in person at the office of the
23 commissioner not later than noon on the Monday following the
24 election, or if the law authorizing the election specifies that
25 the votes be canvassed earlier than the Monday following the
26 election, before the canvass of the election.
27 (2) If the affidavit appears to have been signed by someone
28 other than the registered voter, the commissioner shall
29 notify the voter that the voter may complete the affidavit in
30 person at the office of the commissioner by providing proof of
31 identity as provided in section 49.78 not later than noon on
32 the Monday following the election, or if the law authorizing
33 the election specifies that the votes be canvassed earlier than
34 the Monday following the election, before the canvass of the
35 election.

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1 3. If the affidavit envelope or the return envelope marked
2 with the affidavit contains a defect that would cause the
3 absentee ballot to be rejected by the absentee and special
4 voters precinct board, the commissioner shall immediately
5 notify the voter of that fact and that the voter's absentee
6 ballot shall not be counted unless the voter requests and
7 returns a replacement ballot in the time permitted under
8 section 53.17, subsection 2. ~~For the purposes of this section,~~
9 ~~a return envelope marked with the affidavit shall be considered~~
10 ~~to contain a defect if it appears to the commissioner that~~
11 ~~the signature on the envelope has been signed by someone~~
12 ~~other than the registered voter, in comparing the signature~~
13 ~~on the envelope to the signature on record of the registered~~
14 ~~voter named on the envelope. A signature or marking made~~
15 ~~in accordance with section 39.3, subsection 17, shall not~~
16 ~~be considered a defect for purposes of this section.~~ The
17 voter may request a replacement ballot in person, in writing,
18 or over the telephone. The same serial number that was
19 assigned to the records of the original absentee ballot
20 application shall be used on the envelope and records of the
21 replacement ballot. The envelope marked with the affidavit and
22 containing the completed replacement ballot shall be marked
23 "Replacement ballot". The envelope marked with the affidavit
24 and containing the original ballot shall be marked "Defective"
25 and the replacement ballot shall be attached to such envelope
26 containing the original ballot and shall be stored in a secure
27 place until they are delivered to the absentee and special
28 voters precinct board, notwithstanding sections 53.26 and
29 53.27.
30 Sec. 82. Section 53.18, Code 2019, is amended by adding the
31 following new subsection:
32 **NEW SUBSECTION.** 04. For the purposes of this section, a
33 return envelope marked with the affidavit shall be considered
34 incomplete if it lacks the registered voter's signature or it

35 appears to the commissioner that the signature on the envelope

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1 has been signed by someone other than the registered voter,
2 in comparing the signature on the envelope to the signature
3 on record of the registered voter named on the envelope. A
4 signature or marking made in accordance with section 39.3,
5 subsection 17, shall not cause an affidavit to be considered
6 incomplete.

7 Sec. 83. Section 53.22, subsection 3, Code 2019, is amended
8 to read as follows:

9 3. Any registered voter who becomes a patient, tenant, or
10 resident of a hospital, assisted living program, or health care
11 facility in the county where the voter is registered to vote
12 ~~within three days prior to the date of any election~~ after the
13 deadline to make a written application for an absentee ballot
14 as provided in section 53.2 or on election day may request an
15 absentee ballot during that period or on election day. As an
16 alternative to the application procedure prescribed by section
17 53.2, the registered voter may make the request directly to
18 the officers who are delivering and returning absentee ballots
19 under this section. Alternatively, the request may be made by
20 telephone to the office of the commissioner not later than four
21 hours before the close of the polls. If the requester is found
22 to be a registered voter of that county, these officers shall
23 deliver the appropriate absentee ballot to the registered voter
24 in the manner prescribed by this section.

25 Sec. 84. Section 53.22, subsection 6, paragraph a, Code
26 2019, is amended to read as follows:

27 a. If the registered voter becomes a patient, tenant, or
28 resident of a hospital, assisted living program, or health
29 care facility outside the county where the voter is registered
30 to vote ~~within three days before the date of any election~~
31 after the deadline to make a written application for an
32 absentee ballot as provided in section 53.2 or on election
33 day, the voter may designate a person to deliver and return
34 the absentee ballot. The designee may be any person the voter
35 chooses except that no candidate for any office to be voted

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1 upon for the election for which the ballot is requested may
2 deliver a ballot under this subsection. The request for an
3 absentee ballot may be made by telephone to the office of the
4 commissioner not later than four hours before the close of the
5 polls. If the requester is found to be a registered voter of
6 that county, the ballot shall be delivered by mail or by the
7 person designated by the voter. An application form shall be
8 included with the absentee ballot and shall be signed by the
9 voter and returned with the ballot.

10 Sec. 85. Section 53.22, Code 2019, is amended by adding the

11 following new subsection:

12 **NEW SUBSECTION.** 9. A person voting pursuant to this section
13 shall not be subject to signature verification pursuant to
14 section 53.18.

15 Sec. 86. Section 58.1, Code 2019, is amended to read as
16 follows:

17 **58.1 Notice — grounds.**

18 The contestant for the office of governor shall, within
19 ~~thirty~~ fourteen days after the proclamation of the result of
20 the election, deliver to the presiding officer of each house
21 of the general assembly a notice of intent to contest, and a
22 specification of the grounds of such contest, as provided in
23 chapter 62.

24 Sec. 87. Section 58.4, subsections 1 and 2, Code 2019, are
25 amended to read as follows:

26 1. The names of members of each house, except the presiding
27 officer and the ~~majority and minority leaders~~, written on
28 similar paper tickets, shall be placed in a box, the names of
29 the senators in their presence by their secretary, and the
30 names of the representatives in their presence by their clerk.

31 2. The secretary of the senate in the presence of the
32 senate, and the clerk of the house of representatives in
33 the presence of the house, shall draw from their respective
34 boxes the names of ~~seven~~ five members each. The majority and
35 minority leaders of each house shall also serve on the contest

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1 court.

2 Sec. 88. Section 68A.405, subsection 1, paragraph a,
3 subparagraph (3), Code 2019, is amended to read as follows:

4 (3) "*Published material*" means any newspaper, magazine,
5 shopper, outdoor advertising facility, poster, direct mailing,
6 brochure, internet site, campaign sign, or any other form of
7 printed or electronic general public political advertising.
8 "*Published material*" includes television, video, or motion
9 picture advertising, automated telephone calls, or text
10 messages.

11 Sec. 89. **NEW SECTION. 68A.507 Deceptive names prohibited.**

12 No person shall place on any published material, as defined
13 in section 68A.405, a name or abbreviation of a name intended
14 to cause a voter to believe that the person represents a
15 political party or nonparty political organization of which the
16 person is not a candidate.

17 Sec. 90. Section 69.9, Code 2019, is amended to read as
18 follows:

19 **69.9 Person removed not eligible.**

20 No person can be appointed to fill a vacancy who has been
21 removed from office ~~within one year next preceding.~~

22 Sec. 91. Section 69.14, Code 2019, is amended to read as
23 follows:

24 **69.14 Special election to fill vacancies.**

25 1. A special election to fill a vacancy shall be held for a
26 representative in Congress, when Congress is in session or will
27 convene prior to the next general election, or for a senator or
28 representative in the general assembly, when the body in which
29 ~~such vacancy exists is in session, or the general assembly will~~
30 convene prior to the next general election, and the governor
31 shall order, not later than five days from the date the vacancy
32 exists, a special election, giving not less than forty days'
33 notice of such election.
34 2. In the event the special election is to fill a vacancy
35 in the general assembly while it is in session or within

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1 forty-five days of the convening of any session, ~~the time limit~~
2 ~~provided in this section shall not apply and~~ the governor
3 shall order ~~such~~, not later than five days after the day the
4 vacancy occurs, a special election ~~at the earliest practical~~
5 time, giving at least ~~eighteen~~ twenty-one, but no more than
6 forty-two, days' notice of the special election. Any special
7 election called under this section must be held on a Tuesday
8 and shall not be held on the same day as a school election
9 within the district.
10 Sec. 92. Section 445.5, subsection 1, Code 2019, is amended
11 by adding the following new paragraph:
12 NEW PARAGRAPH. *i.* Until November 7, 2023, the hours during
13 which polling places are open on election days. This paragraph
14 is repealed effective July 1, 2024.
15 Sec. 93. SATELLITE ABSENTEE VOTING LOCATION REPORTS.
16 1. Each county commissioner of elections shall complete
17 a report to be submitted to the general assembly on each
18 state-owned building in the county that may be petitioned for a
19 satellite absentee voting location. The report shall address
20 all of the following:
21 a. The impact on the safety of the public, including
22 students where applicable, using the building other than for
23 satellite voting.
24 b. The impact on the function and public use of the
25 building and state-owned property caused by hosting a satellite
26 absentee voting location, including but not limited to hours of
27 operation, space removed from public use, parking, and building
28 access.
29 c. The cost of using state-owned public buildings to host
30 and operate satellite absentee voting locations.
31 d. The impact of electioneering laws on first amendment
32 rights of the Constitution of the United States in state-owned
33 buildings.
34 2. Each report shall be submitted to the general assembly by
35 December 1, 2019.

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DIVISION IX
CONFLICTS OF INTEREST

Sec. 94. Section 314.2, Code 2019, is amended by striking the section and inserting in lieu thereof the following:

314.2 Conflicts of interest.

A state or county official who is a voting member of a governmental entity responsible for awarding a contract pursuant to section 314.1 and is the apparent low bidder for the contract shall not participate in a vote to award the contract and shall include an explanation of the official's conflict in the resolution entered pursuant to section 26.12.

Sec. 95. EFFECTIVE DATE. This division of this Act takes effect January 1, 2023.

DIVISION X
VOTER REGISTRATION

Sec. 96. Section 47.7, Code 2019, is amended by adding the following new subsections:

NEW SUBSECTION. 3. The state registrar of voters shall develop a form to be distributed to the governing body of each institution of higher education under the state board of regents, community college, and accredited private institution as defined in section 261.9, subsection 1, indicating whether a graduating student will reside outside Iowa, reside within Iowa and optionally, at what address, or move outside Iowa but vote in Iowa pursuant to chapter 53, subchapter II. The state registrar of voters shall mark as inactive the record in the statewide voter registration file of any graduating student indicating that the student will reside outside Iowa after graduation, unless the student will vote in Iowa pursuant to chapter 53, subchapter II, and shall provide information on how to update voter registration information to any student indicating a change of address within the state. Each institution of higher education shall require each graduating student to complete such a form prior to graduating. The form may be integrated into current application requirements for

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graduation issued by an institution of higher education.

NEW SUBSECTION. 4. The state registrar of voters shall use information from the electronic registration information center to update information in the statewide voter registration system, including but not limited to the following reports:

- a. In-state duplicates.
- b. In-state updates.
- c. Cross-state matches.
- d. Deceased.
- e. Eligible but unregistered.
- f. National change of address.

Sec. 97. Section 48A.10A, subsection 1, Code 2019, is

13 amended to read as follows:

14 1. The state registrar shall compare lists of persons who
15 are registered to vote with the department of transportation's
16 driver's license and nonoperator's identification card files
17 and shall, on an initial basis, issue a voter identification
18 card to each active, registered voter whose name does not
19 appear in the department of transportation's files. The voter
20 identification card shall include the name of the registered
21 voter, a signature line above which the registered voter shall
22 sign the voter identification card, the registered voter's
23 identification number assigned to the voter pursuant to section
24 47.7, subsection 2, ~~and~~ an additional four-digit personal
25 identification number assigned by the state commissioner, and
26 the times during which polling places will be open on election
27 days.

28 Sec. 98. Section 48A.26B, Code 2019, is amended to read as
29 follows:

30 **48A.26B Form of acknowledgment.**

31 The state registrar shall adopt rules pursuant to chapter
32 17A to prescribe the form of written acknowledgments sent to
33 a registrant by a commissioner pursuant to section 48A.26 or
34 48A.26A. An acknowledgment sent after March 1, 2022, shall
35 include the times during which polling places will be open on

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1 election days.

2 Sec. 99. Section 48A.27, subsection 4, paragraph c,
3 subparagraph (2), Code 2019, is amended to read as follows:

4 (2) The notice shall contain a statement in substantially
5 the following form:

6 Information received from the United States postal service
7 indicates that you are no longer a resident of, and therefore
8 not eligible to vote in (name of county) County, Iowa. If this
9 information is not correct, and you still live in (name of
10 county) County, please complete and mail the attached postage
11 paid card at least ~~ten days before the primary or general~~
12 ~~election and at least~~ eleven days before any other election at
13 which you wish to vote. If the information is correct and you
14 have moved, please contact a local official in your new area
15 for assistance in registering there. If you do not mail in
16 the card, you may be required to show identification before
17 being allowed to vote in (name of county) County. If you do not
18 return the card, and you do not vote in an election in (name
19 of county) County, Iowa, on or before (date of second general
20 election following the date of the notice) your name will be
21 removed from the list of voters in that county.

22 Sec. 100. Section 48A.28, subsections 1 and 2, Code 2019,
23 are amended to read as follows:

24 1. Each commissioner shall conduct a systematic program
25 that makes a reasonable effort to remove from the official list
26 of registered voters the names of registered voters who have

27 changed residence from their registration addresses. ~~Either or~~
28 ~~both of the methods described in this section may be used.~~
29 2. a. A commissioner ~~may~~ shall participate in the United
30 States postal service national change of address program, as
31 provided in section 48A.27. The state voter registration
32 commission shall adopt rules establishing specific requirements
33 for participation and use of the national change of address
34 program.
35 b. A commissioner participating in the national change of

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1 address program, ~~in the first quarter of each calendar year~~
2 during the January immediately following each presidential
3 election, shall send a notice and preaddressed, postage paid
4 return card by forwardable mail to each registered voter
5 whose name was not reported by the national change of address
6 program and who has not voted in ~~two or more consecutive~~
7 general elections the previous presidential election and has
8 not registered again, or who has not reported a change to an
9 existing registration, ~~or who has not responded to a notice~~
10 ~~from the commissioner or registrar during the period between~~
11 ~~and following the previous two general elections.~~ Registered
12 voters receiving such notice shall be marked inactive. The
13 form and language of the notice and return card shall be
14 specified by the state voter registration commission by rule.
15 A registered voter shall not be sent a notice and return card
16 under this subsection more frequently than once in a four-year
17 period.

18 Sec. 101. Section 48A.28, subsection 3, Code 2019, is
19 amended by striking the subsection.

20 Sec. 102. Section 48A.29, subsection 1, paragraph b, Code
21 2019, is amended to read as follows:

22 b. The notice shall contain a statement in substantially the
23 following form:

24 Information received from the United States postal service
25 indicates that you are no longer a resident of (residence
26 address) in (name of county) County, Iowa. If this information
27 is not correct, and you still live in (name of county) County,
28 please complete and mail the attached postage paid card ~~at~~
29 ~~least ten days before the primary or general election and at~~
30 ~~least eleven days before any other election at which you wish~~
31 ~~to vote.~~ If the information is correct, and you have moved,
32 please contact a local official in your new area for assistance
33 in registering there. If you do not mail in the card, you may
34 be required to show identification before being allowed to vote
35 in (name of county) County. If you do not return the card, and

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1 you do not vote in some election in (name of county) County,
2 Iowa, on or before (date of second general election following

3 the date of the notice) your name will be removed from the list
4 of voters in that county.

5 Sec. 103. Section 48A.29, subsection 3, paragraph b, Code
6 2019, is amended to read as follows:

7 b. The notice shall contain a statement in substantially the
8 following form:

9 Information received by this office indicates that you are no
10 longer a resident of (residence address) in (name of county)
11 County, Iowa. If the information is not correct, and you still
12 live at that address, please complete and mail the attached
13 postage paid card ~~at least ten days before the primary or~~
14 ~~general election and~~ at least eleven days before any other
15 election at which you wish to vote. If the information is
16 correct, and you have moved within the county, you may update
17 your registration by listing your new address on the card and
18 mailing it back. If you have moved outside the county, please
19 contact a local official in your new area for assistance in
20 registering there. If you do not mail in the card, you may be
21 required to show identification before being allowed to vote in
22 (name of county) County. If you do not return the card, and you
23 do not vote in some election in (name of county) County, Iowa,
24 on or before (date of second general election following the
25 date of the notice) your name will be removed from the list of
26 registered voters in that county.

27 Sec. 104. Section 48A.30, subsection 1, paragraph g, Code
28 2019, is amended to read as follows:

29 g. The registered voter's registration record has been
30 inactive pursuant to section ~~48A.28 or~~ 48A.29 for two
31 ~~successive~~ consecutive general elections after notice was sent.

32 Sec. 105. Section 48A.37, subsection 2, Code 2019, is
33 amended to read as follows:

34 2. Electronic records shall include a status code
35 designating whether the records are active, inactive,

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1 incomplete, pending, or canceled. Inactive records are records
2 of registered voters to whom notices have been sent pursuant
3 to section 48A.28, ~~subsection 3~~, and who have not returned
4 the card or otherwise responded to the notice, and those
5 records have been designated inactive pursuant to section
6 48A.29. Inactive records are also records of registered
7 voters to whom notices have been sent pursuant to section
8 48A.26A and who have not responded to the notice. Incomplete
9 records are records missing required information pursuant to
10 section 48A.11, subsection 8. Pending records are records of
11 applicants whose applications have not been verified pursuant
12 to section 48A.25A. Canceled records are records that have
13 been canceled pursuant to section 48A.30. All other records
14 are active records. An inactive record shall be made active
15 when the registered voter requests an absentee ballot, votes
16 at an election, registers again, or reports a change of name,

17 address, telephone number, or political party or organization
18 affiliation. An incomplete record shall be made active when
19 a completed application is received from the applicant and
20 verified pursuant to section 48A.25A. A pending record shall
21 be made active upon verification or upon the voter providing
22 identification pursuant to section 48A.8.

23 Sec. 106. NEW SECTION. **48A.39A Voter list maintenance**
24 **reports.**

25 1. The commissioner of registration shall annually
26 submit to the state registrar of voters a report regarding
27 the number of voter registration records marked inactive or
28 canceled pursuant to sections 48A.28 through 48A.30. The state
29 registrar of voters shall publish such reports on the internet
30 site of the state registrar of voters.

31 2. The state registrar of voters shall determine by rule the
32 form and submission deadline of reports submitted pursuant to
33 subsection 1.

34 Sec. 107. Section 260C.14, Code 2019, is amended by adding
35 the following new subsection:

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1 NEW SUBSECTION. 25. Require each graduating student to
2 complete a form created by the state registrar of voters
3 pursuant to section 47.7, subsection 3, prior to graduating.
4 The board shall direct the community college to promptly return
5 the completed forms to the state registrar of voters.

6 Sec. 108. Section 261.2, Code 2019, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 13. Require any postsecondary institution
9 whose students are eligible for or who receive financial
10 assistance under programs administered by the commission to
11 require each graduating student to complete a form created
12 by the state registrar of voters pursuant to section 47.7,
13 subsection 3, prior to graduating. The commission shall
14 require each such postsecondary institution to promptly return
15 the completed forms to the state registrar of voters.

16 Sec. 109. Section 262.9, Code 2019, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 39. Direct the institutions of higher
19 education under its control to require each graduating student
20 to complete a form created by the state registrar of voters
21 pursuant to section 47.7, subsection 3, prior to graduating.
22 The board shall direct each institution to promptly return the
23 completed forms to the state registrar of voters.

24 DIVISION XI
25 BALLOT ORDER

26 Sec. 110. Section 49.31, subsection 1, paragraph b, Code
27 2019, is amended to read as follows:

28 b. (1) The commissioner shall determine the order of
29 ~~political parties and nonparty political organizations~~
30 candidates on the ballot as provided in this paragraph. The

31 ~~sequence order~~ shall be the same for each office on the ballot
32 and for each precinct in the county voting in the election.
33 (2) The state commissioner shall compile a list of each
34 county in the state in alphabetical order and assign a number
35 to each county such that the first county listed is number

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1 one, the second county listed is number two, and continuing
2 in descending order in the same manner. The commissioner
3 shall put in alphabetical order the top two political parties
4 receiving the highest votes from the most recent election.
5 (3) The commissioner of each county assigned an even number
6 pursuant to subparagraph (2) shall arrange the ballot as
7 follows:
8 (a) The candidates of the first political party by
9 alphabetical order pursuant to subparagraph (2) shall appear
10 first on the ballot for the first general election at which the
11 resident of the United States is to be elected following the
12 effective date of this Act and second on the ballot for the
13 first general election at which the governor will be elected
14 following the effective date of this Act and second on the
15 ballot for the second general election at which the president
16 of the United States is to be elected following the effective
17 date of this Act and first on the ballot for the second general
18 election at which the governor will be elected following the
19 effective date of this Act, and thereafter alternating with the
20 candidates of the second political party by alphabetical order
21 pursuant to subparagraph (2).
22 (b) The candidates of the second political party by
23 alphabetical order pursuant to subparagraph (2) shall appear
24 second on the ballot for the first general election at which
25 the president of the United States is to be elected following
26 the effective date of this Act and first on the ballot for
27 the first general election at which the governor will be
28 elected following the effective date of this Act and first
29 on the ballot for the second general election at which the
30 president of the United States is to be elected following the
31 effective date of this Act and second on the ballot for the
32 second general election at which the governor will be elected
33 following the effective date of this Act, and thereafter
34 alternating with the candidates of the first political party by
35 alphabetical order pursuant to subparagraph (2).

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1 (4) The commissioner of each county assigned an odd number
2 pursuant to subparagraph (2) shall arrange the ballot as
3 follows:
4 (a) The candidates of the second political party by
5 alphabetical order pursuant to subparagraph (2) shall appear
6 first on the ballot for the first general election at which the

7 president of the United States is to be elected following the
8 effective date of this Act and second on the ballot for the
9 first general election at which the governor will be elected
10 following the effective date of this Act and second on the
11 ballot for the second general election at which the president
12 of the United States is to be elected following the effective
13 date of this Act and first on the ballot for the second general
14 election at which the governor will be elected following the
15 effective date of this Act, and thereafter alternating with the
16 candidates of the first political party by alphabetical order
17 pursuant to subparagraph (2).

18 (b) The candidates of the first political party by
19 alphabetical order pursuant to subparagraph (2) shall appear
20 second on the ballot for the first general election at which
21 the president of the United States is to be elected following
22 the effective date of this Act and first on the ballot for
23 the first general election at which the governor will be
24 elected following the effective date of this Act and first
25 on the ballot for the second general election at which the
26 president of the United States is to be elected following the
27 effective date of this Act and second on the ballot for the
28 second general election at which the governor will be elected
29 following the effective date of this Act, and thereafter
30 alternating with the candidates of the second political party
31 by alphabetical order pursuant to subparagraph (2).

32 (c) The commissioner shall determine the order of
33 candidates of nonparty political organizations on the ballot.
34 The order shall be the same for each office on the ballot and
35 for each precinct in the county voting in the election.

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1 Sec. 111. Section 49.31, subsection 2, paragraph b, Code
2 2019, is amended to read as follows:
3 b. The Notwithstanding any provision of subsection 1,
4 paragraph "b", to the contrary, the commissioner shall then
5 arrange the surnames of each political party's candidates for
6 each office to which two or more persons are to be elected at
7 large alphabetically for the respective offices for the first
8 precinct on the list; thereafter, for each political party and
9 for each succeeding precinct, the names appearing first for
10 the respective offices in the last preceding precinct shall
11 be placed last, so that the names that were second before the
12 change shall be first after the change. The commissioner may
13 also rotate the names of candidates of a political party in the
14 reverse order of that provided in this subsection or alternate
15 the rotation so that the candidates of different parties shall
16 not be paired as they proceed through the rotation. The
17 procedure for arrangement of names on ballots provided in this
18 section shall likewise be substantially followed in elections
19 in political subdivisions of less than a county.

20

DIVISION XII

MUNICIPAL ELECTIONS

Sec. 112. Section 44.9, subsection 3, Code 2019, is amended to read as follows:

3. In the office of the proper school board secretary, at least ~~thirty-five~~ forty-two days before the day of a regularly scheduled school election.

Sec. 113. Section 50.48, subsection 7, Code 2019, is amended to read as follows:

7. If the election is ~~an election held by a city which is not the final election for the office in question~~ a city primary election held pursuant to section 376.7, the recount shall progress according to the times provided by this subsection. If this subsection applies the canvass shall be held by the second day after the election, the request for a recount must be made by the third day after the election,

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the board shall convene to conduct the recount by the sixth day after the election, and the report shall be filed by the ~~eleventh~~ eighth day after the election.

Sec. 114. Section 50.48, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 8. When a city council has chosen a runoff election pursuant to section 376.9, the recount shall progress according to the times provided by this subsection. If this subsection applies, the canvass shall be conducted pursuant to section 50.24. The request for a recount must be made by the day after the canvass, and the board shall convene for the first time not later than the first Friday following the canvass. The report shall be filed not later than the fourteenth day after the election.

Sec. 115. Section 260C.12, subsection 1, as amended by 2017 Iowa Acts, chapter 155, section 2, is amended to read as follows:

1. The board of directors of the merged area shall organize at the first regular meeting following the regular school election or at a special meeting called by the secretary of the board to organize the board in advance of the first regular meeting ~~following the regular school election~~ after the canvass for the regular school election. Organization of the board shall be effected by the election of a president and other officers from the board membership as board members determine. The board of directors shall appoint a secretary and a treasurer who shall each give bond as prescribed in section 291.2 and who shall each receive the salary determined by the board. The secretary and treasurer shall perform duties under chapter 291 and additional duties the board of directors deems necessary. However, the board may appoint one person to serve as the secretary and treasurer. If one person serves as the secretary and treasurer, only one bond is necessary for that person. The frequency of meetings other than organizational

35 meetings shall be as determined by the board of directors but

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1 the president or a majority of the members may call a special
2 meeting at any time.

3 Sec. 116. Section 260C.15, subsection 5, as amended by
4 2017 Iowa Acts, chapter 155, section 4, is amended to read as
5 follows:

6 5. The votes cast in the election shall be canvassed and
7 abstracts of the votes cast shall be certified as required by
8 section 277.20. In each county whose commissioner of elections
9 is responsible under section 47.2 for conducting elections
10 held for a merged area, the county board of supervisors shall
11 convene ~~on the last Monday in November or at the last regular~~
12 ~~board meeting in November, on the second Monday or Tuesday~~
13 after the day of the election to canvass the abstracts of votes
14 cast and declare the results of the voting. The commissioner
15 shall at once issue certificates of election to each person
16 declared elected, and shall certify to the merged area board in
17 substantially the manner prescribed by section 50.27 the result
18 of the voting on any public question submitted to the voters
19 of the merged area. Members elected to the board of directors
20 of a merged area shall qualify by taking the oath of office
21 prescribed in section 277.28.

22 Sec. 117. Section 277.4, subsection 3, Code 2019, is amended
23 to read as follows:

24 3. The secretary of the school board shall accept the
25 petition for filing if on its face it appears to have the
26 requisite number of signatures and if it is timely filed. The
27 secretary of the school board shall note upon each petition
28 and affidavit accepted for filing the date and time that the
29 petition was filed. The secretary of the school board shall
30 deliver all nomination petitions, together with the complete
31 text of any public measure being submitted by the board to the
32 electorate, to the county commissioner of elections on the day
33 following the last day on which nomination petitions can be
34 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

35 Sec. 118. Section 279.1, subsection 1, Code 2019, is amended

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1 to read as follows:

2 1. The board of directors of each school corporation shall
3 meet and organize at the first regular meeting or at a special
4 meeting called by the secretary of the board to organize the
5 board in advance of the first regular meeting after the canvass
6 for the regular school election at some suitable place to be
7 designated by the secretary. Notice of the place and hour of
8 the meeting shall be given by the secretary to each member and
9 member-elect of the board.

10 Sec. 119. Section 279.7, subsection 3, Code 2019, is amended

11 to read as follows:

12 3. In the case of a special election as provided in this
13 section to fill a vacancy occurring among the elective officers
14 or members of a school board before the expiration of a full
15 term, the person so elected shall qualify within ten days
16 ~~thereafter from the final canvass of the election by the county~~
17 board in the manner required by section 277.28 and shall hold
18 office for the residue of the unexpired term and until a
19 successor is elected, or appointed, and qualified.

20 Sec. 120. Section 376.5, Code 2019, is amended to read as
21 follows:

22 **376.5 Publication of ballot.**

23 Notice containing a copy of the ballot for each regular,
24 special, primary, or runoff city election must be published by
25 the county commissioner of elections as provided in section
26 362.3, except that notice of a regular, primary, or runoff
27 election may be published not less than four days before the
28 date of the election. The published ~~ballot notice~~ must contain
29 the names of all candidates, and may not contain any party
30 designations. The published ~~ballot notice~~ must contain any
31 question to be submitted to the voters.

32 Sec. 121. Section 376.7, Code 2019, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 3. If the city holding a primary
35 election is located in more than one county, the controlling

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1 commissioner for that city under section 47.2, subsection
2 2, shall conduct a second canvass on the first Monday or
3 Tuesday after the day of the election. However, if a recount
4 is requested pursuant to section 50.48, the controlling
5 commissioner shall conduct the second canvass within two
6 business days after the conclusion of the recount proceeding.
7 Each commissioner conducting a canvass for the city pursuant
8 to section 50.24, subsection 1, shall transmit abstracts for
9 the offices of that city to the controlling commissioner for
10 that city, along with individual tallies for each write-in
11 candidate. At the second canvass, the county board of
12 supervisors of the county of the controlling commissioner shall
13 canvass the abstracts received pursuant to this subsection and
14 shall prepare a combined city abstract stating the number of
15 votes cast in the city for each office. The combined city
16 abstract shall further indicate the name of each person who
17 received votes for each office on the ballot, and the number of
18 votes each person received for that office. The votes of all
19 write-in candidates who each received less than five percent
20 of the total votes cast in the city for an office shall be
21 reported collectively under the heading "scattering".

22 Sec. 122. Section 376.9, subsection 1, Code 2019, is amended
23 to read as follows:

24 1. A runoff election may be held only for positions unfilled

25 because of failure of a sufficient number of candidates to
26 receive a majority vote in the regular city election. When a
27 council has chosen a runoff election in lieu of a primary, the
28 county board of supervisors shall publicly canvass the tally
29 lists of the vote cast in the regular city election, following
30 the procedures prescribed in section 50.24, ~~at a meeting to be~~
31 ~~held on the second day following the regular city election, and~~
32 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
33 who do not receive a majority of the votes cast for an office,
34 but who receive the highest number of votes cast for that
35 office in the regular city election, to the extent of twice

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1 the number of unfilled positions, are candidates in the runoff
2 election.
3 Sec. 123. 2017 Iowa Acts, chapter 155, section 45, is
4 amended to read as follows:
5 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.
6 1. Notwithstanding the provisions of section 260C.11
7 designating a term of four years for members of a board of
8 directors of a merged area, the term of office for a seat on a
9 board of directors filled at the regular school election held
10 on:
11 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
12 the board's organizational meeting held pursuant to section
13 260C.12, subsection 1.
14 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
15 the board's organizational meeting held pursuant to section
16 260C.12, subsection 1.
17 2. Notwithstanding the provisions of section 273.8,
18 subsection 1, designating a term of four years for members of
19 a board of directors of an area education agency, the term of
20 office for a seat on a board of directors filled by election
21 in:
22 a. September 2015 shall expire November 30, 2019.
23 b. September 2017 shall expire November 30, 2021.
24 3. Notwithstanding the provisions of section 274.7
25 designating a term of four years for members of a board of
26 directors of a school district, the term of office for a seat
27 on a board of directors filled at the regular school election
28 held on:
29 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the
30 board's organizational meeting held pursuant to section 279.1.
31 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
32 the board's organizational meeting held pursuant to section
33 279.1.

34 DIVISION XIII
35 ABSENTEE BALLOT COUNTING

Page 54

1 Sec. 124. Section 49.128, subsection 3, Code 2019, is
2 amended to read as follows:

3 3. The commissioner shall file a copy of ~~the a~~ certification
4 or report under this section with the state commissioner.

5 Sec. 125. Section 49.128, Code 2019, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 6. The commissioner shall place on
8 file in the commissioner's office a report, and shall file
9 a copy of the report with the state commissioner, regarding
10 absentee ballot tracking and counting no later than December 1
11 following each general election. The report shall be in a form
12 prescribed by the state commissioner.

13 Sec. 126. Section 53.17, subsection 1, paragraph b, Code
14 2019, is amended to read as follows:

15 b. The sealed return envelope may be mailed to the
16 commissioner by the registered voter or by the voter's
17 designee. If mailed by the voter's designee, the envelope
18 must be mailed within seventy-two hours of retrieving it from
19 the voter or within time to be postmarked or, if applicable,
20 to have the ~~intelligent-mail~~ postal service barcode traced to
21 a date of entry into the federal mail system not later than
22 the day before the election, as provided in section 53.17A,
23 whichever is earlier.

24 Sec. 127. Section 53.17, subsection 2, Code 2019, is amended
25 to read as follows:

26 2. In order for the ballot to be counted, the return
27 envelope must be received in the commissioner's office before
28 the polls close on election day or be clearly postmarked by an
29 officially authorized postal service or bear ~~an intelligent~~
30 ~~mail a postal service~~ barcode traceable to a date of entry
31 into the federal mail system not later than the day before the
32 election, as provided in section 53.17A, and received by the
33 commissioner not later than noon on the Monday following the
34 election.

35 Sec. 128. Section 53.17, subsection 4, paragraph f, Code

Page 55

1 2019, is amended to read as follows:

2 f. A statement that the completed absentee ballot will
3 be delivered to the commissioner's office within seventy-two
4 hours of retrieving it from the voter or before the closing of
5 the polls on election day, whichever is earlier, or that the
6 completed absentee ballot will be mailed to the commissioner
7 within seventy-two hours of retrieving it from the voter or
8 within time to be postmarked or, if applicable, to have the
9 ~~intelligent-mail~~ postal service barcode traced to a date of
10 entry into the federal mail system not later than the day
11 before the election, as provided in section 53.17A, whichever
12 is earlier.

13 Sec. 129. NEW SECTION. **53.17A Absentee ballot tracking.**

14 1. For the purposes of this chapter:

15 a. *“Postal service barcode”* means a barcode purchased by the
16 sender and supplied by the United States postal service that is
17 used to sort and track letters and flat packages and is printed
18 on an absentee ballot return envelope at the direction of the
19 commissioner before the envelope is sent to the voter.

20 b. *“Tracking information database”* means a database
21 administered by the United States postal service that is
22 accessible to the commissioner and contains information
23 regarding letters or flat packages.

24 2. a. Prior to implementing for the first time,
25 discontinuing the usage of, or reimplementing the usage
26 of a postal service barcode and tracking information, the
27 commissioner shall send notice to the state commissioner prior
28 to October 1, 2020, for an election taking place in 2020 after
29 that date, and by October 1 of each year thereafter.

30 b. The commissioner shall not implement or discontinue
31 the use of a postal service barcode or tracking information
32 database during an election after an absentee ballot has been
33 mailed for that election pursuant to section 53.8.

34 c. The state commissioner shall adopt rules regarding
35 the statewide implementation of a postal service barcode and

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1 tracking information database, including procedures to be
2 followed when usage of a postal service barcode or the tracking
3 information database is negatively impacted. Each commissioner
4 shall use a postal service barcode and tracking information
5 database consistent with rules of the state commissioner.
6 Every commissioner shall send notice to the state commissioner
7 and implement the use of a postal service barcode and tracking
8 information database prior to October 1, 2020.

9 3. a. An absentee ballot received after the polls close
10 on election day but prior to the official canvass shall be
11 counted if the commissioner determines that the ballot entered
12 the federal mail system by the deadline specified in section
13 53.17 or 53.22. The date of entry of such an absentee ballot
14 into the federal mail system shall only be verified as provided
15 in paragraph “b”.

16 b. (1) If the postmark indicates that the absentee ballot
17 entered the federal mail system by the deadline specified
18 in section 53.17 or 53.22, the ballot shall be included for
19 canvass by the absentee and special voters precinct board.

20 (2) If the postmark is illegible, missing, or dated on or
21 after election day, the commissioner shall attempt to verify
22 the ballot’s date of entry into the federal mail system by
23 querying the postal service barcode in the tracking information
24 database. If the tracking information database indicates that
25 the absentee ballot entered the federal mail system by the
26 deadline specified in section 53.17 or 53.22, the ballot shall

27 be included for canvass by the absentee and special voters
28 precinct board. The commissioner shall provide a report to
29 the absentee and special voters precinct board regarding the
30 information available in the tracking information database.
31 (3) If there is a discrepancy between the date indicated by
32 the postmark and the postal service barcode, the earlier of the
33 two shall determine the date of entry of the absentee ballot
34 into the federal mail system.
35 (4) (a) If neither the postmark nor the postal service

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1 barcode indicates that the absentee ballot entered the federal
2 mail system by the deadline specified in section 53.17 or
3 53.22, the absentee ballot shall be sent to the absentee
4 and special voters precinct board pursuant to subparagraph
5 division (b) with the numeric value assigned to the postal
6 service barcode and a full report from the tracking information
7 database.
8 (b) Up to five absentee and special voters precinct board
9 members from each political party for partisan elections,
10 or any two members of the board for nonpartisan elections,
11 shall review the postal service barcode and tracking database
12 information report of each absentee ballot submitted pursuant
13 to subparagraph division (a) and certify that the tracking
14 information database report corresponds to the absentee ballot
15 by initialing the report and the absentee ballot envelope.
16 If the board concludes that the postal service barcode and
17 tracking information database report verify that the absentee
18 ballot entered the federal mail system by the deadline
19 specified in section 53.17 or 53.22, the ballot shall be
20 counted. Otherwise, the ballot shall not be counted.
21 Sec. 130. Section 53.22, subsection 6, paragraph b, Code
22 2019, is amended to read as follows:
23 b. Absentee ballots voted under this subsection shall be
24 delivered to the commissioner no later than the time the polls
25 are closed on election day. If the ballot is returned by mail
26 the return envelope must be received by the time the polls
27 close, or be clearly postmarked by an officially authorized
28 postal service or bear ~~an intelligent mail~~ a postal service
29 barcode traceable to a date of entry into the federal mail
30 system not later than the day before the election, as provided
31 in section 53.17A, and received by the commissioner no later
32 than the time established for the canvass by the board of
33 supervisors for that election.

34 DIVISION XIV
35 FUTURE CHANGES TO ABSENTEE BALLOT COUNTING

Page 58

1 Sec. 131. Section 53.17, subsection 1, paragraph b, Code
2 2019, as amended by this Act, is amended by striking the

3 paragraph and inserting in lieu thereof the following:

4 **b.** The sealed return envelope may be mailed to the
5 commissioner by the registered voter or by the voter's
6 designee. If mailed by the voter's designee, the envelope must
7 be mailed within seventy-two hours of retrieving it from the
8 voter.

9 Sec. 132. Section 53.17, subsection 2, Code 2019, as
10 amended by this Act, is amended by striking the subsection and
11 inserting in lieu thereof the following:

12 2. In order for the ballot to be counted, the return
13 envelope must be received in the commissioner's office before
14 the polls close on election day.

15 Sec. 133. Section 53.17, subsection 4, paragraph f, Code
16 2019, as amended by this Act, is amended by striking the
17 paragraph and inserting in lieu thereof the following:

18 **f.** A statement that the completed absentee ballot will
19 be delivered to the commissioner's office within seventy-two
20 hours of retrieving it from the voter or before the closing of
21 the polls on election day, whichever is earlier, or that the
22 completed absentee ballot will be mailed to the commissioner
23 within seventy-two hours of retrieving it from the voter.

24 Sec. 134. Section 53.22, subsection 6, paragraph b, Code
25 2019, as amended by this Act, is amended by striking the
26 paragraph and inserting in lieu thereof the following:

27 **b.** Absentee ballots voted under this subsection shall be
28 delivered to the commissioner no later than the time the polls
29 are closed on election day. If the ballot is returned by mail
30 the return envelope must be received by the time the polls
31 close.

32 Sec. 135. REPEAL. Section 53.17A, as enacted by this Act,
33 is repealed.

34 Sec. 136. EFFECTIVE DATE. This division of this Act takes
35 effect May 1, 2023.>

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1 2. Title page, by striking lines 1 and 2 and inserting
2 <An Act relating to the conduct of state and local elections,
3 providing penalties, and including effective date elections
4 provisions.>

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, Chair

S-3120

1 Amend House File 599, as passed by the House, as follows:

2 1. Page 1, line 11, after <hunt wild turkey> by inserting
3 <appropriate for the minor's residency status>

CHRIS COURNOYER

S-3121

- 1 Amend House File 292, as passed by the House, as follows:
- 2 1. Page 1, line 3, by striking <an annual> and inserting ~~<an~~
- 3 ~~annual~~ a semiannual>
- 4 2. Page 1, by striking line 13 and inserting <assembly on a
- 5 ~~biannual~~ semiannual basis and the department shall>
- 6 3. Page 1, line 15, after <analysis.> by inserting <However,
- 7 beginning July 1, 2021, the report of the analysis and findings
- 8 shall be submitted to the governor and the general assembly on
- 9 an annual rather than a semiannual basis.>
- 10 4. Title page, line 1, by striking <annual>

COMMITTEE ON HUMAN RESOURCES
MARIANNETTE MILLER-MEEKS, Chair

S-3122

- 1 Amend House File 532, as passed by the House, as follows:
- 2 1. Page 1, by striking line 12 and inserting <offer persons
- 3 to whom a primary care, including psychiatry, residency
- 4 position is awarded, the>
- 5 2. Page 1, line 16, by striking <CANDIDATES. The university
- 6 of Iowa hospitals and> and inserting <CANDIDATES — FOURTH YEAR
- 7 ELECTIVES.>
- 8 3. Page 1, before line 17 by inserting:
- 9 <1. The university of Iowa hospitals and>
- 10 4. Page 1, by striking lines 23 and 24 and inserting
- 11 <hospitals and clinics shall also provide persons to whom a
- 12 primary care, including psychiatry, residency position is
- 13 awarded, the opportunity to participate in>
- 14 5. Page 1, after line 26 by inserting:
- 15 <2. The university of Iowa carver college of medicine shall
- 16 review the feasibility of offering additional fourth-year
- 17 electives to students attending Des Moines university.
- 18 Sec. ____ PHYSICIAN WORKFORCE STUDY. The university of
- 19 Iowa carver college of medicine shall conduct a study regarding
- 20 the state's workforce challenges related to the recruitment
- 21 and retention of primary and specialty care physicians. The
- 22 study shall include, at a minimum, an examination of current
- 23 physician workforce data, the identification of projected
- 24 physician workforce shortages by region of the state, and
- 25 an analysis of the availability of residency positions, and
- 26 shall specifically emphasize the recruitment and retention
- 27 of physicians in rural Iowa. The university of Iowa carver
- 28 college of medicine shall submit a report of the findings of
- 29 the study and policy recommendations to address physician
- 30 workforce needs to the governor and the general assembly by
- 31 January 15, 2020.>

- 32 6. Title page, line 1, after <the> by inserting <physician
33 workforce in the state including the>
34 7. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES
MARIANNETTE MILLER-MEEKS, Chair

S-3123

- 1 Amend Senate File 608 as follows:
2 1. Page 8, lines 16 and 17, by striking <executive committee
3 of the governor's empower rural Iowa initiative> and inserting
4 <economic development board>
5 2. Page 8, after line 27 by inserting:
6 <c. The authority shall adopt rules pursuant to chapter
7 17A to establish criteria for the distribution of the moneys
8 appropriated in this subsection.>
9 3. Page 8, lines 34 and 35, by striking <executive committee
10 of the governor's empower rural Iowa initiative> and inserting
11 <economic development board>
12 4. Page 9, after line 8 by inserting:
13 <c. The authority shall adopt rules pursuant to chapter
14 17A to establish criteria for the distribution of the moneys
15 appropriated in this subsection.>
16 5. Page 12, line 5, by striking <6,725,650> and inserting
17 <6,675,650>
18 6. Page 15, line 8, by striking <2,800,000> and inserting
19 <2,850,000>
20 7. Page 20, line 32, by striking <250,000> and inserting
21 <300,000>

WILLIAM A. DOTZLER, JR.
MARK LOFGREN

S-3124

- 1 Amend House File 732, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, by striking lines 4 and 5 and inserting:
4 <Sec. ____ Section 124E.2, subsection 5, Code 2019, is
5 amended to read as follows:>
6 2. Page 1, by striking lines 15 through 21.
7 3. By renumbering as necessary.

COMMITTEE ON JUDICIARY
BRAD ZAUN, Chair

S-3125

- 1 Amend Senate File 580 as follows:
2 1. Page 2, after line 4 by inserting:
3 <____. The offense of dependent adult abuse as provided for

4 under section 235B.20.>
5 2. Page 2, after line 8 by inserting:
6 <__. The offense of assault as defined in section 708.1
7 that is a felony under section 708.2.
8 __. The offense of domestic abuse assault as defined in
9 section 708.2A.>
10 3. By renumbering, redesignating, and correcting internal
11 references as necessary.

JASON SCHULTZ

S-3126

1 Amend Senate File 608 as follows:
2 1. Page 8, by striking lines 16 through 18 and inserting <To
3 be distributed by the authority for establishing>
4 2. Page 8, after line 27 by inserting:
5 <c. The authority shall adopt rules pursuant to chapter
6 17A to establish criteria for the distribution of the moneys
7 appropriated in this subsection.>
8 3. By striking page 8, line 34, through page 9, line 1, and
9 inserting <To be distributed by the authority for>
10 4. Page 9, after line 8 by inserting:
11 <c. The authority shall adopt rules pursuant to chapter
12 17A to establish criteria for the distribution of the moneys
13 appropriated in this subsection.>
14 5. Page 12, line 5, by striking <6,725,650> and inserting
15 <6,675,650>
16 6. Page 15, line 8, by striking <2,800,000> and inserting
17 <2,850,000>
18 7. Page 20, line 32, by striking <250,000> and inserting
19 <300,000>

WILLIAM A. DOTZLER, JR.
MARK LOFGREN

S-3127

1 Amend Senate File 609 as follows:
2 1. By striking page 2, line 28, through page 3, line 5, and
3 inserting:
4 <Sec. __. MONEYS CREDITED TO THE WATERSHED IMPROVEMENT
5 FUND — FARM MANAGEMENT DEMONSTRATION PROGRAM. Notwithstanding
6 2017 Iowa Acts, chapter 168, section 22, as amended by 2017
7 Iowa Acts, chapter 170, section 42, of the moneys credited
8 to the watershed improvement fund that are unencumbered or
9 unobligated and managed by and otherwise appropriated to the
10 department of agriculture and land stewardship pursuant to
11 those sections, the department shall expend the following
12 amount, or so much thereof as is necessary, for the fiscal
13 year beginning July 1, 2019, and ending June 30, 2020, for the
14 purpose designated:>

- 15 2. Page 20, after line 25 by inserting:
16 <DIVISION ____
17 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND>
18 3. Page 20, after line 33 by inserting:
19 <Sec. ____ REAP — OPEN SPACES ACCOUNT — STATE PARK
20 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
21 subsection 1, paragraph “a”, subparagraph (1), of the moneys
22 allocated to the open spaces account of the Iowa resources
23 enhancement and protection fund, up to \$1,000,000 may be
24 used by the department of natural resources for state park
25 maintenance and repair for the fiscal year beginning July 1,
26 2019, and ending on June 30, 2020.>
27 4. Page 27, by striking lines 10 through 22.
28 5. Title page, lines 4 and 5, by striking <protection,
29 and including effective date provisions.> and inserting
30 <protection.>
31 6. By renumbering as necessary.

MICHAEL BREITBACH

S-3128

- 1 Amend Senate File 226 as follows:
2 1. Page 2, after line 5 by inserting:
3 <Sec. ____ Section 321.449, subsection 1, Code 2019, is
4 amended by adding the following new paragraph:
5 NEW PARAGRAPH. c. The department may adopt rules pursuant
6 to chapter 17A authorizing a person who is at least eighteen
7 years of age or over, but under twenty-one years of age, to be
8 licensed to operate a commercial motor vehicle in interstate
9 commerce if the person holds a valid commercial driver’s
10 license and is authorized under federal law to operate a
11 commercial motor vehicle in interstate commerce.
12 Sec. ____ COMMERCIAL DRIVER’S LICENSE DRIVING SKILLS TEST
13 — STUDY. The department of transportation shall conduct
14 a study on access in this state to the driving skills test
15 required for issuance of a commercial driver’s license. The
16 department shall evaluate and may recommend additional testing
17 options to increase access in this state to the driving skills
18 test required for issuance of a commercial driver’s license.
19 The department shall submit a report, in paper or electronic
20 format, containing the department’s findings, evaluation,
21 and any recommendations to the general assembly on or before
22 December 31, 2019.>
23 2. By renumbering as necessary.

MICHAEL BREITBACH

S-3129

- 1 Amend Senate File 609 as follows:
2 1. Page 27, after line 9 by inserting:

<DIVISION ____

RELATED CODE CHANGES — DNR HUNTING LICENSES

Sec. ____ Section 483A.24, subsection 2, paragraphs b and c, Code 2019, are amended to read as follows:

b. Upon written application on forms furnished by the department, the department shall issue annually without fee one wild turkey license to the owner of a farm unit or to a member of the owner's family, but not to both, and to the tenant or to a member of the tenant's family, but not to both. The wild turkey hunting licenses issued shall be valid only on the farm unit for which an applicant qualifies pursuant to this subsection and shall be equivalent to the least restrictive license issued under section 481A.38. The owner or the tenant need not reside on the farm unit to qualify for a free license to hunt on that farm unit. The free turkey hunting licenses issued pursuant to this paragraph shall be valid and may be used during any ~~bow or firearm~~ established turkey hunting season using the method of take authorized by rule for each season being hunted. If a tag is filled during one of the seasons, the license will not be valid in subsequent seasons.

c. Upon written application on forms furnished by the department, the department shall issue annually without fee two deer hunting licenses, one antlered or any sex deer hunting license and one antlerless deer only deer hunting license, to the owner of a farm unit or a member of the owner's family, but only a total of two licenses for both, and to the tenant of a farm unit or a member of the tenant's family, but only a total of two licenses for both. The deer hunting licenses issued shall be valid only for use on the farm unit for which the applicant applies pursuant to this paragraph. The owner or the tenant need not reside on the farm unit to qualify for the free deer hunting licenses to hunt on that farm unit. The free deer hunting licenses issued pursuant to this paragraph

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shall be valid and may be used during any ~~bow or firearm~~ established deer hunting season using the method of take authorized by rule for each season being hunted. If a tag is filled during one of the seasons, the license will not be valid in subsequent seasons. The licenses may be used to harvest deer in two different seasons. In addition, a person who receives a free deer hunting license pursuant to this paragraph shall pay a one dollar fee for each license that shall be used and is appropriated for the purpose of deer herd population management, including assisting with the cost of processing deer donated to the help us stop hunger program administered by the commission.>

2. Title page, lines 4 and 5, by striking <protection, and including effective date provisions.> and inserting

15 <protection.>

16 3. By renumbering as necessary.

JAKE CHAPMAN

S-3130

1 Amend Senate File 608 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 FISCAL YEAR 2019-2020 APPROPRIATIONS>

5 2. Page 21, after line 7 by inserting:

6 <DIVISION ____

7 MISCELLANEOUS PROVISIONS

8 Sec. ____ **NEW SECTION. 15.205 Farm and Small Business**

9 **Disaster Grant Program.**

10 1. A farm and small business disaster grant fund is created
11 in the state treasury under the control of the economic
12 development authority. For the fiscal year beginning July 1,
13 2018, and ending June 30, 2019, there is appropriated from the
14 general fund of the state for deposit into the farm and small
15 business disaster grant fund the amount of ten million dollars.
16 Moneys in the fund are appropriated to the authority for
17 purposes of administering the farm and small business disaster
18 grant program.

19 2. Notwithstanding section 8.33, moneys in the farm and
20 small business disaster grant fund at the close of each fiscal
21 year shall not revert to any other fund but shall remain in the
22 fund for expenditure for subsequent fiscal years.

23 3. From the moneys appropriated in subsection 1, the
24 authority shall provide grants of one thousand dollars per
25 month per the number of employees a qualifying farm or small
26 business employs, up to a maximum of ten thousand dollars per
27 month, for a maximum of five months, for qualifying farms and
28 small businesses affected by a disaster. Grants shall be
29 awarded on a first-come, first-served basis.

30 4. To qualify for a grant pursuant to subsection 3, a farm
31 or small business must meet all of the following requirements:

32 a. The farm or small business must have its principal
33 place of business located in a county that has been declared
34 a disaster by the president of the United States on or after
35 March 12, 2019.

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1 b. The disaster must have caused substantial damage to the
2 farm or small business.

3 c. The farm or small business must have had to temporarily
4 suspend operations or have been dislocated from its principal
5 place of business due to the disaster.

6 d. The farm or small business must continue to employ a
7 substantial number of the employees that the farm or small

8 business employed before the disaster.

9 5. The authority may adopt rules pursuant to chapter 17A as
10 necessary to administer this section.

11 6. The authority may adopt emergency rules under section
12 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
13 “b”, to administer the provisions of this section. Any rules
14 adopted in accordance with this subsection shall also be
15 published as a notice of intended action as provided in section
16 17A.4.

17 Sec. ____ EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.>

19 3. Title page, line 6, after <atters> by inserting <and
20 including effective date provisions>

21 4. By renumbering as necessary.

ROBERT M. HOGG

S-3131

1 Amend Senate File 608 as follows:

2 1. Page 16, after line 1 by inserting:

3 <(3) Of the moneys appropriated in this lettered paragraph
4 “a”, the economic development authority shall allocate
5 \$4,000,000 to provide financial assistance to businesses
6 engaged in disaster recovery as defined in section 15.327.>

7 2. Page 16, line 2, by striking <(3)> and inserting <(4)>

8 3. Page 21, after line 7 by inserting:

9 <Sec. ____ HIGH QUALITY JOBS PROGRAM — BUSINESSES ENGAGED
10 IN DISASTER RECOVERY.

11 Notwithstanding section 15.335C, subsection 1, paragraph
12 “a”, for the fiscal year beginning July 1, 2019, and ending
13 June 30, 2020, a business engaged in disaster recovery as
14 defined in section 15.327 shall qualify for project completion
15 assistance pursuant to section 15.335C, subsection 1, paragraph
16 “b”, subparagraph (1).>

17 4. By renumbering as necessary.

ROBERT M. HOGG

S-3132

1 Amend Senate File 608 as follows:

2 1. Page 21, after line 7 by inserting:

3 <Sec. ____ 2017 Iowa Acts, chapter 169, section 32,
4 subsection 1, paragraph “a”, as amended by 2018 Iowa Acts,
5 chapter 1169, section 12, is amended to read as follows:

6 a. ECONOMIC DEVELOPMENT AUTHORITY

7 (1) For the purposes of providing assistance under the high
8 quality jobs program as described in section 15.335B:

9 \$ 13,650,000

10 (2) From the moneys appropriated in this lettered paragraph
11 “a”, the economic development authority may use not more than

12 \$1,000,000 for purposes of providing infrastructure grants to
 13 mainstreet communities under the main street Iowa program.

14 (2A) From the moneys appropriated in this lettered
 15 paragraph “a”, the economic development authority shall
 16 allocate \$2,000,000 to provide financial assistance to
 17 businesses engaged in disaster recovery as defined in section
 18 15.327.

19 (2B) Notwithstanding section 15.335C, subsection 1,
 20 paragraph “a”, a business engaged in disaster recovery as
 21 defined in section 15.327 shall qualify for project completion
 22 assistance pursuant to section 15.335C, subsection 1, paragraph
 23 “b”, subparagraph (1).

24 (3) As a condition of receiving moneys appropriated in
 25 this lettered paragraph “a”, an entity shall testify upon the
 26 request of the joint appropriations subcommittee on economic
 27 development regarding the expenditure of such moneys.

28 Sec. ____ EFFECTIVE DATE. The following, being deemed of
 29 immediate importance, takes effect upon enactment:

30 The section of this Act amending 2017 Iowa Acts, chapter 169,
 31 section 32, subsection 1, paragraph “a”, as amended by 2018
 32 Iowa Acts, chapter 1169, section 12.>

33 2. Title page, line 6, after <atters> by inserting <and
 34 including effective date provisions>

ROBERT M. HOGG

S-3133

1 Amend Senate File 609 as follows:

2 1. Page 20, after line 33 by inserting:

3 <DIVISION ____

4 FLOOD RELIEF — STATE UNIVERSITY OF IOWA AND DEPARTMENT OF
 5 NATURAL RESOURCES — GENERAL FUND

6 Sec. ____ STATE UNIVERSITY OF IOWA — IOWA FLOOD CENTER.

7 1. There is appropriated from the general fund of the state
 8 for the fiscal year beginning July 1, 2018, and ending June 30,
 9 2019, to the state university of Iowa, the following amount,
 10 or so much thereof as is necessary, to be used for the purposes
 11 designated:

12 For purposes of supporting the Iowa flood center established
 13 pursuant to section 466C.1:

14 \$ 328,000

15 2. Notwithstanding section 8.33, moneys appropriated in
 16 this section that remain unencumbered or unobligated at the
 17 close of the fiscal year shall not revert but shall remain
 18 available for expenditure for the purposes designated until the
 19 close of the succeeding fiscal year.

20 Sec. ____ DEPARTMENT OF NATURAL RESOURCES — STUDY.

21 1. There is appropriated from the general fund of the state
 22 for the fiscal year beginning July 1, 2018, and ending June 30,
 23 2019, to the department of natural resources, the following

24 amount, or so much thereof as is necessary, to be used for the
25 purposes designated:

26 For purposes of supporting a study of the Missouri river
27 flood of 2019:

28 \$ 500,000

29 The department shall conduct the study in cooperation with
30 the Iowa flood center.

31 2. a. The study shall include an investigation of issues
32 involving dam and levee management, the role of environmental
33 practices, the effects of extreme precipitation, and any other
34 items identified by the department and Iowa flood center.

35 b. The department, in cooperation with the Iowa flood

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1 center, shall prepare a report of findings and recommendations
2 which shall be submitted to the governor and general assembly
3 by January 10, 2020.

4 3. Notwithstanding section 8.33, moneys appropriated in
5 this section that remain unencumbered or unobligated at the
6 close of the fiscal year shall not revert but shall remain
7 available for expenditure for the purposes designated until the
8 close of the succeeding fiscal year.

9 Sec. ____ EFFECTIVE DATE. This division of this Act, being
10 deemed of immediate importance, takes effect upon enactment.>

11 2. By renumbering as necessary.

ROBERT M. HOGG

S-3134

1 Amend Senate File 609 as follows:

2 1. Page 10, after line 13 by inserting:

3 <Sec. ____ ELIMINATION OF POSITIONS.

4 1. The department of natural resources shall eliminate the
5 following positions within its conservation and recreation
6 division:

7 a. Conservation and recreation division administrator.

8 b. Fisheries bureau chief.

9 c. Wildlife bureau chief.

10 2. The amount of moneys for salaries from the positions
11 eliminated in subsection 1 shall be credited to the state fish
12 and game fund created pursuant to section 456A.17.

13 Sec. ____ EFFECTIVE DATE. The following, being deemed of
14 immediate importance, take effect upon enactment:

15 The section of this division of this Act eliminating the
16 positions within the conservation and recreation division of
17 the department of natural resources.>

18 2. By renumbering as necessary.

JAKE CHAPMAN

S-3135

- 1 Amend Senate File 608 as follows:
2 1. Page 14, after line 29 by inserting:
3 <2. By January 31, 2020, the department shall submit a
4 written report to the general assembly detailing the number
5 of veterans that relocated to Iowa and were placed into a job
6 through the home base Iowa program during calendar year 2019.>
7 2. Page 14, line 30, by striking <2.> and inserting <3.>

LIZ MATHIS

S-3136

- 1 Amend Senate File 608 as follows:
2 1. Page 1, before line 1 by inserting:
3 <DIVISION I
4 FISCAL YEAR 2019-2020 APPROPRIATIONS>
5 2. Page 21, after line 7 by inserting:
6 <DIVISION ____
7 MISCELLANEOUS PROVISIONS
8 Sec. ____ Section 16.2, Code 2019, is amended by adding the
9 following new subsection:
10 NEW SUBSECTION. 2A. There shall be four ex officio,
11 nonvoting legislative members consisting of the following:
12 a. Two state senators, one appointed by the majority leader
13 of the senate and one appointed by the minority leader of the
14 senate from their respective parties.
15 b. Two state representatives, one appointed by the speaker
16 and one appointed by the minority leader of the house of
17 representatives from their respective parties.
18 Sec. ____ Section 16.2, subsection 3, Code 2019, is amended
19 to read as follows:
20 3. Five voting members of the authority constitute a quorum
21 and the affirmative vote of a majority of the appointed members
22 is necessary for any substantive action taken by the authority.
23 The majority shall not include any member who has a conflict of
24 interest and a statement by a member of a conflict of interest
25 shall be conclusive for this purpose. A vacancy in the
26 membership does not impair the right of a quorum to exercise
27 all rights and perform all duties of the authority.>
28 3. By renumbering as necessary.

JAKE CHAPMAN

S-3137

- 1 Amend the amendment, S-3127, to Senate File 609 as follows:
2 1. Page 1, by striking line 27.

- 3 2. Page 1, by striking lines 28 through 30.
 4 3. By renumbering as necessary.

KEVIN KINNEY

S-3138

- 1 Amend Senate File 608 as follows:
 2 1. Page 16, after line 1 by inserting:
 3 <(3) Of the moneys appropriated in this lettered paragraph
 4 “a”, the economic development authority shall allocate
 5 \$4,000,000 to provide financial assistance to businesses
 6 engaged in disaster recovery as defined in section 15.327.>
 7 2. Page 16, line 2, by striking <(3)> and inserting <(4)>
 8 3. Page 21, after line 7 by inserting:
 9 <Sec. ____ HIGH QUALITY JOBS PROGRAM — BUSINESSES ENGAGED
 10 IN DISASTER RECOVERY. For the fiscal year beginning July 1,
 11 2019, and ending June 30, 2020, a business engaged in disaster
 12 recovery as defined in section 15.327 shall qualify as a
 13 business with a project located in an economically distressed
 14 area for purposes of section 15.335C, subsection 1, paragraph
 15 “b”, subparagraph (1).>
 16 4. By renumbering as necessary.

ROBERT M. HOGG

S-3139

- 1 Amend Senate File 608 as follows:
 2 1. Page 21, after line 7 by inserting:
 3 <Sec. ____ 2017 Iowa Acts, chapter 169, section 32,
 4 subsection 1, paragraph “a”, as amended by 2018 Iowa Acts,
 5 chapter 1169, section 12, is amended to read as follows:
 6 a. ECONOMIC DEVELOPMENT AUTHORITY
 7 (1) For the purposes of providing assistance under the high
 8 quality jobs program as described in section 15.335B:
 9 \$ 13,650,000
 10 (2) From the moneys appropriated in this lettered paragraph
 11 “a”, the economic development authority may use not more than
 12 \$1,000,000 for purposes of providing infrastructure grants to
 13 mainstreet communities under the main street Iowa program.
 14 (2A) From the moneys appropriated in this lettered
 15 paragraph “a”, the economic development authority shall
 16 allocate \$2,000,000 to provide financial assistance to
 17 businesses engaged in disaster recovery as defined in section
 18 15.327.
 19 (2B) A business engaged in disaster recovery as defined
 20 in section 15.327 shall qualify as a business with a project
 21 located in an economically distressed area for purposes of
 22 section 15.335C, subsection 1, paragraph “b”, subparagraph (1).
 23 and may receive assistance from moneys appropriated in this
 24 lettered paragraph “a”.

25 (3) As a condition of receiving moneys appropriated in
26 this lettered paragraph “a”, an entity shall testify upon the
27 request of the joint appropriations subcommittee on economic
28 development regarding the expenditure of such moneys.
29 Sec. ____ EFFECTIVE DATE. The following, being deemed of
30 immediate importance, takes effect upon enactment:
31 The section of this Act amending 2017 Iowa Acts, chapter 169,
32 section 32, subsection 1, paragraph “a”, as amended by 2018
33 Iowa Acts, chapter 1169, section 12.>
34 2. Title page, line 6, after <matters> by inserting <and
35 including effective date provisions>

ROBERT M. HOGG

S-3140

1 Amend House File 679, as passed by the House, as follows:
2 1. Page 36, by striking lines 18 through 22.
3 2. By renumbering as necessary.

ZACH WHITING

S-3141

1 Amend House File 700, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 155A.29, Code 2019, is amended to read
5 as follows:
6 **155A.29 Prescription refills.**
7 1. Except as specified in subsection 2 or 3, a prescription
8 for any prescription drug or device which is not a controlled
9 substance shall not be filled or refilled more than eighteen
10 months after the date on which the prescription was issued and
11 a prescription which is authorized to be refilled shall not be
12 refilled more than twelve times.
13 2. A pharmacist may exercise professional judgment by
14 refilling a prescription without prescriber authorization if
15 all of the following are true:
16 a. The pharmacist is unable to contact the prescriber after
17 reasonable ~~effort~~ efforts.
18 b. Failure to refill the prescription might result in
19 an interruption of therapeutic regimen or create patient
20 suffering.
21 c. The pharmacist informs the patient or the patient’s
22 representative at the time of dispensing, and the practitioner
23 at the earliest convenience that prescriber reauthorization is
24 required.
25 ~~3. d.~~ Prescriptions may be refilled once pursuant to
26 subsection 2 for a period of time reasonably necessary for the
27 pharmacist to secure prescriber authorization.
28 3. a. In addition to the authorization for a pharmacist to

29 refill a prescription without prescriber authorization pursuant
30 to subsection 2, a pharmacist may exercise professional
31 judgment and refill a prescription for and dispense insulin
32 without prescriber authorization if all of the following
33 conditions are met:
34 (1) The pharmacy has a record of the patient's expired
35 prescription.

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1 (2) The pharmacist is unable to contact the prescriber after
2 reasonable efforts.
3 (3) The insulin is essential to the health of the patient
4 and the patient will be harmed if the insulin is not dispensed.
5 b. The pharmacist may dispense insulin pursuant to this
6 subsection in an amount not to exceed a thirty-day supply and
7 only once in a twelve-month period.
8 4. An authorization to refill a prescription drug order
9 shall be transmitted to a pharmacy by a prescriber or the
10 prescriber's authorized agent pursuant to section 155A.27,
11 except that prescription drug orders for controlled substances
12 shall be transmitted pursuant to section 124.308, and, if not
13 transmitted directly by the practitioner, shall also include
14 the name and title of the practitioner's agent completing the
15 transmission.
16 Sec. 2. NEW SECTION. 514C.18A Insulin coverage.
17 1. Notwithstanding the uniformity of treatment requirements
18 of section 514C.6, a policy or contract providing for
19 third-party payment or prepayment of insulin when prescribed
20 by a practitioner as defined in section 155A.3, shall provide
21 coverage for insulin dispensed without authorization pursuant
22 to section 155A.29, subsection 3, for an amount not to exceed a
23 thirty-day supply and only once in a twelve-month period.
24 2. a. This section applies to the following classes of
25 third-party payment provider contracts or policies delivered,
26 issued for delivery, continued, or renewed in this state on or
27 after July 1, 2019:
28 (1) Individual or group accident and sickness insurance
29 providing coverage on an expense-incurred basis.
30 (2) An individual or group hospital or medical service
31 contract issued pursuant to chapter 509, 514, or 514A.
32 (3) An individual or group health maintenance organization
33 contract regulated under chapter 514B.
34 (4) Any other entity engaged in the business of insurance,
35 risk transfer, or risk retention, which is subject to the

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1 jurisdiction of the commissioner.
2 (5) A plan established pursuant to chapter 509A for public
3 employees.
4 b. This section shall not apply to accident-only,

5 specified disease, short-term hospital or medical, hospital
6 confinement indemnity, credit, dental, vision, Medicare
7 supplement, long-term care, basic hospital and medical-surgical
8 expense coverage as defined by the commissioner, disability
9 income insurance coverage, coverage issued as a supplement
10 to liability insurance, workers' compensation or similar
11 insurance, or automobile medical payment insurance.>
12 2. Title page, by striking lines 1 and 2 and inserting
13 <An Act relating to the dispensing of insulin in emergency
14 situations, and providing for insurance coverage.>

THOMAS A. GREENE

S-3142

1 Amend the amendment, S-3136, to Senate File 608 as follows:
2 1. Page 1, after line 7 by inserting:
3 <Sec. ____ Section 8.39, subsection 2, Code 2019, is amended
4 to read as follows:
5 2. If the appropriation of a department, institution, or
6 agency is insufficient to properly meet the legitimate expenses
7 of the department, institution, or agency, the director, with
8 the approval of the governor, may make an interdepartmental
9 transfer from any other department, institution, or agency
10 of the state having an appropriation in excess of its needs,
11 of sufficient funds to meet that deficiency. Such transfer
12 shall be to an appropriation made from the same funding source
13 and within the same fiscal year. The amount of a transfer
14 made from an appropriation under this subsection shall be
15 limited to not more than one-tenth of one percent of the
16 total of all appropriations made from the funding source of
17 the transferred appropriation for the fiscal year in which
18 the transfer is made. An interdepartmental transfer to an
19 appropriation which is not an entitlement appropriation is not
20 authorized when the general assembly is in regular session
21 and, in addition, the sum of interdepartmental transfers in a
22 fiscal year to an appropriation which is not an entitlement
23 appropriation shall not exceed fifty percent of the amount of
24 the appropriation as enacted by the general assembly. For
25 the purposes of this subsection, an entitlement appropriation
26 is a line item appropriation to the state public defender
27 for indigent defense or to the department of human services
28 for foster care, state supplementary assistance, or medical
29 assistance, or for the family investment program. The economic
30 development authority shall not make an interdepartmental
31 transfer of an appropriation, any part of an appropriation,
32 or any other moneys, to the Iowa finance authority. The Iowa
33 finance authority shall not make an interdepartmental transfer
34 of an appropriation, any part of an appropriation, or any other
35 moneys, to the economic development authority.>

Page 2

- 1 2. By renumbering as necessary.

JANET PETERSEN

S-3143

1 Amend Senate File 530 as follows:

- 2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 155A.29, subsection 3, Code 2019, is
5 amended to read as follows:

6 3. a. Prescriptions may be refilled once pursuant to
7 subsection 2 for a period of time reasonably necessary for the
8 pharmacist to secure prescriber authorization.

9 b. Notwithstanding paragraph "a", a prescription may be
10 refilled pursuant to subsection 2, once in a twelve-month
11 period, and the pharmacist may dispense an amount not to exceed
12 a thirty-day supply, or if the standard unit of dispensing
13 exceeds a thirty-day supply or is unit dosed, an amount not to
14 exceed the standard supply or unit of dispensing.>

15 2. Title page, by striking lines 1 and 2 and inserting <An
16 Act relating to the refilling of a prescription in emergency
17 situations.>

THOMAS A. GREENE

S-3144

1 Amend Senate File 608 as follows:

- 2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 FISCAL 2019-2020 APPROPRIATIONS>

- 5 2. Page 21, after line 7 by inserting:

6 <DIVISION ____

7 MISCELLANEOUS PROVISIONS

8 Sec. ____ RESTITUTION FOR SETTLEMENTS AGAINST THE
9 IOWA FINANCE AUTHORITY. The governor shall direct the
10 attorney general to commence appropriate proceedings to
11 seek restitution, pursuant to section 669.21, in the amount
12 of \$4,100,000 from the former director of the Iowa finance
13 authority for the settlements approved by the state appeal
14 board on February 4, 2019, against the Iowa finance authority.>

- 15 3. By renumbering as necessary.

CLAIRE CELSI

S-3145

1 Amend Senate File 424 as follows:

- 2 1. By striking everything after the enacting clause and

3 inserting:

4 <Section 1. Section 48A.2, subsection 4, Code 2019, is
5 amended to read as follows:

6 4. *“Person who is incompetent to vote”* means a person with an
7 intellectual disability who has been found to lack the mental
8 capacity to vote in a proceeding held pursuant to section
9 ~~633.556~~ 633.552.

10 Sec. 2. Section 229.27, subsection 3, unnumbered paragraph
11 1, Code 2019, is amended to read as follows:

12 A hearing limited to the question of the person’s competence
13 and conducted in substantially the manner prescribed in
14 sections 633.552, ~~to~~ 633.556, 633.558, and 633.560 shall be
15 held when:

16 Sec. 3. Section 235B.18, subsections 4 and 5, Code 2019, are
17 amended to read as follows:

18 4. If, at the hearing, the judge finds by clear and
19 convincing evidence that the dependent adult is in need of
20 protective services and lacks the capacity to consent to the
21 receipt of protective services, the judge may issue an order
22 authorizing the provision of protective services. The order
23 may include the designation of a person to be responsible for
24 performing or obtaining protective services on behalf of the
25 dependent adult or otherwise consenting to the receipt of
26 protective services on behalf of the dependent adult. Within
27 sixty days of the appointment of such a person the court
28 shall conduct a review to determine if a petition shall be
29 initiated in accordance with section ~~633.552~~ 633.556 for good
30 cause shown. The court may extend the sixty-day period for
31 an additional sixty days, at the end of which the court shall
32 conduct a review to determine if a petition shall be initiated
33 in accordance with section ~~633.552~~ 633.556. A dependent adult
34 shall not be committed to a mental health facility under this
35 section.

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1 5. A determination by the court that a dependent adult lacks
2 the capacity to consent to the receipt of protective services
3 under this chapter shall not affect incompetency proceedings
4 under sections 633.552, ~~through~~ 633.556, 633.558, and 633.560
5 or any other proceedings, and incompetency proceedings under
6 sections 633.552, ~~through~~ 633.556, 633.558, and 633.560 shall
7 not have a conclusive effect on the question of capacity to
8 consent to the receipt of protective services under this
9 chapter. A person previously adjudicated as incompetent under
10 the relevant provisions of chapter 633 is entitled to the care,
11 protection, and services under this chapter.

12 Sec. 4. Section 235B.19, subsection 5, paragraph a,
13 unnumbered paragraph 1, Code 2019, is amended to read as
14 follows:

15 Notwithstanding sections ~~633.552~~ 633.556 and ~~633.573~~
16 633.569, upon a finding that there is probable cause to believe

17 that the dependent adult abuse presents an immediate danger to
18 the health or safety of the dependent adult or is producing
19 irreparable harm to the physical or financial resources or
20 property of the dependent adult, and that the dependent adult
21 lacks capacity to consent to the receipt of services, the court
22 may order the appointment of a temporary guardian or temporary
23 conservator without notice to the dependent adult or the
24 dependent adult's attorney if all of the following conditions
25 are met:

26 Sec. 5. Section 622.10, subsection 3, paragraph f, Code
27 2019, is amended to read as follows:

28 f. The provisions of this subsection do not apply to actions
29 or claims brought pursuant to chapter 85, 85A, or 85B, or to
30 court orders issued pursuant to section 633.552.

31 Sec. 6. Section 633.3, Code 2019, is amended by adding the
32 following new subsections:

33 NEW SUBSECTION. 1A. *Assistance animal* — means an animal
34 that qualifies as a reasonable accommodation under the federal
35 Fair Housing Act, 42 U.S.C. §3601 et seq., as amended, or

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1 section 504 of the federal Rehabilitation Act of 1973, 29
2 U.S.C. §794, as amended.

3 NEW SUBSECTION. 1B. *Assistive animal* — means the same as
4 defined in section 216C.11, subsection 1.

5 NEW SUBSECTION. 27A. *Limited guardianship* — means a
6 guardianship that grants the guardian less than all powers
7 available under this chapter or otherwise restricts the powers
8 of the guardian.

9 NEW SUBSECTION. 32A. *Protected person* — means a person
10 subject to guardianship or a person subject to conservatorship,
11 or both.

12 NEW SUBSECTION. 32B. *Respondent* — means a person who
13 is alleged to be a person in need of a guardianship or
14 conservatorship, or both.

15 NEW SUBSECTION. 32C. *Service animal* — means a dog or
16 miniature horse as set forth in the implementing regulations
17 of Title II and Title III of the federal Americans with
18 Disabilities Act of 1990, 42 U.S.C. §12101 et seq.

19 Sec. 7. Section 633.174, Code 2019, is amended to read as
20 follows:

21 **633.174 Guardians and conservators — bond.**

22 1. When the guardian appointed for a person is not the
23 conservator of the property of that person, no bond shall be
24 required of the guardian, unless the court for good cause finds
25 it proper to require one. If no bond is initially required,
26 the court may, nevertheless, for good cause, at any subsequent
27 time, require that a bond be given.

28 2. Every conservator shall execute and file with the clerk
29 a bond with sufficient surety or sureties except as provided
30 in section 633.175.

31 Sec. 8. Section 633.175, Code 2019, is amended to read as
32 follows:

33 **633.175 Waiver of bond by court.**

34 1. The court, for good cause shown, may exempt any fiduciary
35 from giving bond, if the court finds that the interests of

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1 creditors and distributees will not thereby be prejudiced.
2 2. However, the court, except as provided in section
3 633.172, subsection 2, shall not exempt a conservator, other
4 than a financial institution with Iowa trust powers, from
5 giving bond in a conservatorship with total assets of more than
6 twenty five thousand dollars, excluding real property, unless
7 it is a voluntary conservatorship in which the petitioner is
8 eighteen years of age or older and has waived bond in the
9 petition unless the court finds that there is an alternative to
10 a bond that will provide sufficient protection to the assets
11 of the protected person. The conservator shall submit a plan
12 for any proposed alternative to a bond for review and approval
13 by the court.

14 Sec. 9. Section 633.551, Code 2019, is amended to read as
15 follows:

16 **~~633.551 Guardianships and conservatorships—general~~ General**
17 **provisions.**

18 1. The determination of incompetency of the ~~proposed ward or~~
19 ~~ward and the determination of the need for the appointment of a~~
20 ~~guardian or conservator or of the modification or termination~~
21 ~~of a guardianship or conservatorship~~ adult respondent to a
22 petition for guardianship or conservatorship or an adult
23 subject to guardianship or conservatorship shall be supported
24 by clear and convincing evidence.

25 2. The burden of persuasion is on the petitioner in an
26 initial proceeding to appoint a guardian or conservator.
27 In a proceeding to modify or terminate a guardianship or
28 conservatorship, if the guardian or conservator is the
29 petitioner, the burden of persuasion remains with the guardian
30 or conservator. In a proceeding to terminate a guardianship
31 or conservatorship, if the ~~ward~~ protected person is the
32 petitioner, the ~~ward~~ protected person shall make a prima facie
33 showing of some decision-making capacity. Once a prima facie
34 showing is made, the burden of persuasion is on the guardian or
35 conservator to show by clear and convincing evidence that the

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1 ~~ward~~ protected person is incompetent.

2 3. In determining whether a guardianship or conservatorship
3 is to be established, modified, or terminated, the
4 district court shall consider if a limited guardianship or
5 conservatorship pursuant to section 633.635 or 633.637 is
6 appropriate. In making the determination, the court shall

7 make findings of fact to support the powers conferred on the
8 guardian or conservator.

9 4. In proceedings to establish, modify, or terminate a
10 guardianship or conservatorship, in determining if the ~~proposed~~
11 ~~ward or ward~~ respondent or protected person is incompetent as
12 defined in section 633.3, the court shall consider credible
13 evidence ~~from any source to the effect of third party~~
14 ~~assistance in meeting the needs of the proposed ward or ward~~
15 as to whether there are other less restrictive alternatives,
16 including third-party assistance, that would meet the needs of
17 the respondent or the protected person. However, neither party
18 to the action shall have the burden to produce such evidence
19 relating to other less restrictive alternatives, including but
20 not limited to third-party assistance.

21 5. Except as otherwise provided in sections 633.672
22 and 633.673, in proceedings to establish a guardianship or
23 conservatorship, the costs, including attorney fees, court
24 visitor fees, and expert witness fees, shall be assessed
25 against the ~~ward or the ward's~~ respondent or the respondent's
26 estate unless the proceeding is dismissed either voluntarily
27 or involuntarily, in which case fees and costs may be assessed
28 against the petitioner for good cause shown.

29 6. Except as otherwise provided in this subchapter, the
30 rules of civil procedure shall govern proceedings to establish,
31 modify, or terminate a guardianship or conservatorship.

32 Sec. 10. NEW SECTION. 633.552 Basis for appointment of
33 guardian for an adult.

34 1. On petition and after notice and hearing, the court may
35 appoint a guardian for an adult if the court finds by clear and

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1 convincing evidence that all of the following are true:

2 a. The decision-making capacity of the respondent is
3 so impaired that the respondent is unable to care for the
4 respondent's safety, or to provide for necessities such as
5 food, shelter, clothing, or medical care without which physical
6 injury or illness may occur.

7 b. The appointment of a guardian is in the best interest of
8 the respondent.

9 2. Section 633.551 applies to the appointment of a guardian
10 under subsection 1.

11 3. If the court appoints a guardian based upon the mental
12 incapacity of the protected person because the protected
13 person has an intellectual disability, as defined in section
14 4.1, the court shall make a separate determination as to the
15 protected person's competency to vote. The court shall find
16 a protected person incompetent to vote only upon determining
17 that the person lacks sufficient mental capacity to comprehend
18 and exercise the right to vote.

19 Sec. 11. NEW SECTION. 633.553 Basis for appointment of
20 conservator for an adult.

21 1. On petition and after notice and hearing, the court may
22 appoint a conservator for an adult if the court finds by clear
23 and convincing evidence that both of the following are true:
24 a. The decision-making capacity of the respondent is so
25 impaired that the respondent is unable to make, communicate,
26 or carry out important decisions concerning the respondent's
27 financial affairs.
28 b. The appointment of a conservator is in the best interest
29 of the respondent.
30 2. Section 633.551 applies to the appointment of a
31 conservatorship under subsection 1.
32 Sec. 12. NEW SECTION. 633.554 **Basis for appointment of**
33 **conservator for a minor.**
34 On petition and after notice, the court may appoint a
35 conservator for a minor if the court finds by a preponderance

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1 of the evidence that the appointment is in the best interest of
2 the minor and any of the following is true:
3 1. The minor has funds or other property requiring
4 management or protection that otherwise cannot be provided.
5 2. The minor has or may have financial affairs that may be
6 put at unreasonable risk or hindered because of the minor's
7 age.
8 3. A conservator is needed to obtain or provide funds or
9 other property.
10 Sec. 13. NEW SECTION. 633.556 **Petition for appointment of**
11 **guardian or conservator for an adult.**
12 1. A formal judicial proceeding to determine whether
13 to appoint a guardian or conservator for an adult shall be
14 initiated by the filing of a verified petition by a person with
15 an interest in the welfare of the adult, which may include the
16 adult who is the subject of the petition.
17 2. The petition shall contain a concise statement of the
18 factual basis for the petition.
19 3. The petition shall contain a concise statement of why
20 there is no less restrictive alternative to the appointment of
21 a guardian or a conservator.
22 4. The petition shall list the name and address of the
23 petitioner and the petitioner's relationship to the respondent.
24 5. The petition shall list the name and address, to the
25 extent known, of the following:
26 a. The name and address of the proposed guardian and the
27 reason the proposed guardian should be selected.
28 b. Any spouse of the respondent.
29 c. Any adult children of the respondent.
30 d. Any parents of the respondent.
31 e. Any adult, who has had the primary care of the respondent
32 or with whom the respondent has lived for at least six months
33 prior to the filing of the petition, or any institution or
34 facility where the respondent has resided for at least six

35 months prior to the filing of the petition.

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1 *f.* Any legal representative or representative payee of the
2 respondent.

3 *g.* Any person designated as an attorney in fact in a durable
4 power of attorney for health care which is valid under chapter
5 144B, or any person designated as an agent in a durable power
6 of attorney which is valid under chapter 633B.

7 6. Any additional persons who may have an interest in
8 the proceeding may be listed in an affidavit attached to the
9 petition.

10 7. If the petition requests the appointment of a
11 conservator, the petition shall state the estimated present
12 value of the real estate owned or to be owned by the
13 respondent, the estimated value of the personal property owned
14 or to be owned by the respondent, and the estimated gross
15 annual income of the respondent.

16 8. The petition shall provide a brief description of
17 the respondent's alleged functional limitations that make
18 the respondent unable to communicate or carry out important
19 decisions concerning the respondent's financial affairs.

20 9. Any additional information relevant to the proceeding
21 may be included in an affidavit attached to the petition.

22 Sec. 14. NEW SECTION. **633.557 Petition for appointment of a**
23 **conservator for a minor.**

24 1. A formal judicial proceeding to determine whether to
25 appoint a conservator for a minor shall be initiated by the
26 filing of a verified petition by a person with an interest in
27 the welfare of the minor.

28 2. The petition shall contain a concise statement of the
29 factual basis for the petition.

30 3. The petition shall state the following to the extent
31 known:

32 *a.* The name, age, and address of the minor.

33 *b.* The name and address of the petitioner and the
34 petitioner's relationship to the minor.

35 *c.* The name and address of the proposed conservator and the

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1 reason the proposed conservator should be selected.

2 *d.* If the petitioner, or the proposed conservator, is not
3 the parent or parents having legal custody of the minor, the
4 name and address, to the extent known, of the following:

5 (1) The parent or parents having legal custody of the minor.

6 (2) Any adult who has had the primary care of the minor or
7 with whom the minor has lived for at least six months prior
8 to the filing of the petition, or any institution or facility
9 where the minor has resided for at least six months prior to
10 the filing of the petition.

11 Sec. 15. NEW SECTION. **633.558 Notice to adult respondent.**

12 1. The filing of a petition filed pursuant to section
13 633.556 shall be served upon the adult respondent in the
14 manner of an original notice in accordance with the Iowa rules
15 of civil procedure governing such notice. Notice to the
16 attorney representing the respondent, if any, is notice to the
17 respondent.

18 2. Notice shall be served upon other known persons listed in
19 the petition in the manner prescribed by the court, which may
20 be notice by mail in accordance with the Iowa rules of civil
21 procedure. Failure of such persons to receive actual notice
22 does not constitute a jurisdictional defect precluding the
23 appointment of a guardian or conservator by the court.

24 3. Notice of the filing of a petition given to persons under
25 subsections 2 and 3 shall include a statement that such persons
26 may register to receive notice of the hearing on the petition
27 and other proceedings and the manner of such registration.

28 Sec. 16. NEW SECTION. **633.559 Notice to minor respondent.**

29 1. The filing of a petition pursuant to section 633.557
30 shall be served upon a minor respondent in the manner of an
31 original notice in accordance with the Iowa rules of civil
32 procedure governing such notice. Notice to the attorney
33 representing the minor, if any, is notice to the minor.

34 2. Notice shall also be served upon the known parent or
35 parents listed in the petition in accordance with the Iowa

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1 rules of civil procedure.

2 3. Notice shall be served upon other known persons listed in
3 the petition in the manner prescribed by the court, which may
4 be notice by mail in accordance with the Iowa rules of civil
5 procedure. Failure of such persons to receive actual notice
6 does not constitute a jurisdictional defect precluding the
7 appointment of a conservator by the court.

8 4. Notice of the filing of a petition given to persons
9 under subsections 2 and 3 shall include a statement that the
10 recipient of the notice may register to receive notice of the
11 hearing on the petition and other proceedings and the manner of
12 such registration.

13 Sec. 17. NEW SECTION. **633.560 Hearing.**

14 1. The court shall fix the time and place of hearing on a
15 petition and shall prescribe a time not less than twenty days
16 after the date the notice is served unless the court finds
17 there is good cause shown to shorten the time period to less
18 than twenty days pursuant to section 633.40. The court shall
19 also prescribe the manner of service of the notice of such
20 hearing pursuant to section 633.40.

21 2. The respondent shall be entitled to attend the hearing on
22 the petition and all other proceedings. The court shall make
23 reasonable accommodations to enable the respondent to attend
24 the hearing and all other proceedings. The court may waive the

25 respondent's attendance for good cause shown. The court shall
26 make a record of the reason for a respondent's nonattendance.

27 3. The court shall require the proposed guardian or
28 conservator to attend the hearing on the petition but the court
29 may excuse the proposed guardian's attendance for good cause
30 shown.

31 4. The court shall require the court visitor as described in
32 section 633.562, if any, to attend the hearing but the court
33 may excuse the court visitor's attendance for good cause shown.

34 5. Any person with an interest in the welfare of the
35 respondent may submit a written application to the court

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1 requesting permission to participate in the hearing on the
2 petition and other proceedings. The court may grant the
3 request if the court finds that the person's participation is
4 in the best interest of the respondent. The court may impose
5 appropriate conditions on the person's participation.

6 6. A complete record of the hearing shall be made.

7 Sec. 18. Section 633.560, Code 2019, is amended to read as
8 follows:

9 **633.560 Appointment of guardian for an adult on a standby**
10 **basis.**

11 A petition for the appointment of a guardian for an adult
12 on a standby basis may be filed by any person under the same
13 procedure and requirements as provided in sections 633.591
14 to 633.597, for appointment of standby conservator, insofar
15 as applicable. In all proceedings to appoint a guardian,
16 the court shall consider whether a limited guardianship, as
17 authorized in section 633.635, is appropriate.

18 Sec. 19. NEW SECTION. **633.560A Mediation.**

19 1. The district court may, on its own motion or on the
20 motion of any party, order the parties to participate in
21 mediation in any guardianship or conservatorship action.
22 Mediation performed under this section shall comply with the
23 provisions of chapter 679C. The court shall, upon application
24 of a party, grant a waiver from any court-ordered mediation
25 under this section if the party demonstrates that a history
26 of domestic abuse exists similarly as considered in section
27 598.41, subsection 3, paragraph "j". The court may, upon
28 application of a party, grant a waiver from any court-ordered
29 mediation if the action involves elder abuse pursuant to
30 chapter 235F.

31 2. Mediation shall comply with all of the following
32 standards:

33 a. The parties will participate in good faith.
34 Participation in mediation shall include attendance at
35 a mediation session with the mediator and the parties to

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1 the action, listening to the mediator's explanation of the
2 mediation process, presentation of one party's view of the
3 case, and listening to the response of the other party.
4 Participation in mediation does not require that the parties
5 reach an agreement.
6 b. Unless the parties agree upon a mediator, the court shall
7 appoint a mediator. Any mediator appointed by the court shall
8 meet the qualifications established in this section.
9 c. Parties to the mediation shall have the right to
10 representation by an attorney at all times.
11 d. The parties to the mediation shall present any agreement
12 reached through the mediation to their attorneys, if any.
13 A mediation agreement reached by the parties shall not be
14 enforceable until approved by the court.
15 e. The costs of mediation shall be borne by the parties, as
16 agreed to by the parties, or as ordered by the court, and may
17 be taxed as court costs.
18 3. A mediator appointed by the court acting pursuant to this
19 section shall have the following qualifications:
20 a. Completed a one-hour internet seminar or live session
21 regarding the external resources available to a respondent with
22 particular focus on resources for older persons.
23 b. A minimum of twenty-five hours of general mediation
24 training.
25 c. Either of the following:
26 (1) Fifteen hours of probate-specific or elder-specific
27 mediation training.
28 (2) Ten continuous years of practice in Iowa as a licensed
29 attorney with the greater of four hundred hours or forty
30 percent of the total hours of law practice per year being
31 devoted to matters concerning wills, trusts, and estate work
32 for each of the ten continuous years.
33 Sec. 20. Section 633.561, Code 2019, is amended to read as
34 follows:

35 **633.561 Representation Appointment and role of attorney for**

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1 **respondent.**
2 1. In a proceeding for the appointment of a guardian or
3 **conservator for an adult or a conservator for a minor:**
4 a. If the ~~proposed ward~~ **respondent** is an adult and is
5 not the petitioner, the ~~proposed ward~~ **respondent** is entitled
6 to representation **by an attorney.** Upon the filing of the
7 petition, the court shall appoint an attorney to represent the
8 ~~proposed ward~~ **respondent**, set a hearing on the petition, and
9 provide for notice of the appointment of counsel and the date
10 for hearing.
11 b. If the ~~proposed ward~~ **respondent** is either a minor or
12 an adult under a standby petition, the court shall determine

13 whether, under the circumstances of the case, the ~~proposed ward~~
14 respondent is entitled to representation. The determination
15 regarding representation may be made with or without notice to
16 the ~~proposed ward respondent~~, as the court deems necessary.
17 If the court determines that the ~~proposed ward respondent~~
18 is entitled to representation, the court shall appoint an
19 attorney to represent the ~~proposed ward respondent~~. After
20 making the determination regarding representation, the court
21 shall set a hearing on the petition, and provide for notice on
22 the determination regarding representation and the date for
23 hearing.
24 c. The court may take action under paragraph "a" or "b"
25 prior to the service of the original notice upon the ~~proposed~~
26 ward respondent.
27 d. The court may reconsider the determination regarding
28 representation upon application by any interested person.
29 e. The court may discharge the attorney appointed by the
30 court if it appears upon the application of the ~~proposed~~
31 ward respondent or any other interested person that the ~~ward~~
32 respondent has privately retained an attorney who has filed an
33 appearance on behalf of the ~~proposed ward respondent~~.
34 2. The court shall ensure that all ~~proposed wards~~
35 respondents entitled to representation have been provided

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1 ~~with~~ notice of the right to representation and right to be
2 personally present at all proceedings and shall make findings
3 of fact in any order of disposition setting out the manner in
4 which notification was provided.
5 3. If the ~~proposed ward respondent~~ is entitled to
6 representation and is indigent or incapable of requesting
7 counsel, the court shall appoint an attorney to represent the
8 ~~proposed ward respondent~~. The cost of court appointed counsel
9 for indigents shall be assessed against the county in which the
10 proceedings are pending. For the purposes of this subsection,
11 the court shall find a person is indigent if the person's
12 income and resources do not exceed one hundred fifty percent of
13 the federal poverty level or the person would be unable to pay
14 such costs without prejudicing the person's financial ability
15 to provide economic necessities for the person or the person's
16 dependents.
17 4. An attorney appointed pursuant to this section shall:
18 a. Ensure that the ~~proposed ward respondent~~ has been
19 properly advised of the nature and purpose of the proceeding.
20 b. Advocate for the wishes of the respondent to the extent
21 those wishes are reasonably ascertainable. If the respondent's
22 wishes are not reasonably ascertainable, the attorney shall
23 advocate for the least restrictive alternative consistent with
24 the respondent's best interests.
25 ~~b. c.~~ c. Ensure that the ~~proposed ward respondent~~ has been
26 properly advised of the ~~ward's~~ respondent's rights in a

27 guardianship proceeding.
28 ~~e. d.~~ Personally interview the ~~proposed ward respondent~~.
29 ~~d. e.~~ File a written report stating whether there is a
30 return on file showing that proper service on the ~~proposed~~
31 ~~ward respondent~~ has been made and also stating that specific
32 compliance with paragraphs "a" through "c" ~~"d"~~ has been made
33 or stating the inability to comply by reason of the ~~proposed~~
34 ~~ward's respondent's~~ condition.
35 ~~e. Represent the proposed ward.~~

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1 f. Ensure that the guardianship procedures conform to the
2 statutory and due process requirements of Iowa law.
3 5. In the event that an order of appointment is entered,
4 the attorney appointed pursuant to this section, to the extent
5 possible, shall:
6 a. Inform the ~~proposed ward respondent~~ of the effects of the
7 order entered for appointment of guardian.
8 b. Advise the ~~ward respondent~~ of the ~~ward's respondent's~~
9 rights to petition for modification or termination of the
10 guardianship.
11 c. Advise the ~~ward respondent~~ of the rights retained by the
12 ~~ward respondent~~.
13 6. If the court determines that it would be in the ~~ward's~~
14 ~~respondent's~~ best interest to have legal representation
15 with respect to any proceedings in a guardianship or
16 conservatorship, the court may appoint an attorney to represent
17 the ~~ward respondent~~ at the expense of the ~~ward respondent~~ or
18 the ~~ward's respondent's~~ estate, or if the ~~ward respondent~~
19 is indigent the cost of the court appointed attorney shall
20 be assessed against the county in which the proceedings are
21 pending.
22 7. If the court determines upon application that it
23 is appropriate or necessary, the court may order that the
24 attorney appointed pursuant to this section be given copies
25 of and access to the ~~proposed ward's respondent's~~ health
26 information by describing with reasonable specificity the
27 health information to be disclosed or accessed, for the purpose
28 of fulfilling the attorney's responsibilities pursuant to this
29 section.
30 Sec. 21. NEW SECTION. **633.562 Appointment and role of court**
31 **visitor.**
32 1. If the court determines that the appointment of a court
33 visitor would be in the best interest of the respondent, the
34 court shall appoint a court visitor at the expense of the
35 respondent or the respondent's estate, or, if the respondent

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1 is indigent, the cost of the court visitor shall be assessed
2 against the county in which the proceedings are pending. The

3 court may appoint any qualified person as a court visitor in a
4 guardianship or conservatorship proceeding.

5 2. The same person shall not serve both as the attorney
6 representing the respondent and as court visitor.

7 3. Unless otherwise enlarged or circumscribed by the court,
8 the duties of a court visitor with respect to the respondent
9 shall include all of the following:

10 a. Conducting an initial in-person interview with the
11 respondent.

12 b. Explaining to the respondent the substance of the
13 petition, the purpose and effect of the guardianship or
14 conservatorship proceeding, the rights of the respondent at
15 the hearing, and the general powers and duties of a guardian
16 or conservator.

17 c. Determining the views of the respondent regarding the
18 proposed guardian or conservator, the proposed guardian's or
19 conservator's powers and duties, and the scope and duration of
20 the proposed guardianship or conservatorship.

21 4. In addition, if directed by the court, the court visitor
22 shall:

23 a. Interview the petitioner, and if the petitioner is not
24 the proposed guardian or conservator, interview the proposed
25 guardian or conservator.

26 b. Visit, to the extent feasible, the residence where it
27 is reasonably believed that the respondent will live if the
28 appointment of a guardian or conservator is made.

29 c. Make any other investigation the court directs including
30 but not limited to interviewing any persons providing medical,
31 mental health, educational, social, and other services to the
32 respondent.

33 5. The court visitor shall submit a written report to the
34 court that shall contain all of the following:

35 a. A recommendation regarding the appropriateness of a

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1 limited guardianship for the respondent, including whether less
2 restrictive alternatives are available.

3 b. A statement of the qualifications of the guardian
4 together with a statement of whether the respondent has
5 expressed agreement with the appointment of the proposed
6 guardian or conservator.

7 c. Any other matters the court visitor deems relevant to
8 the petition for guardianship or conservatorship and the best
9 interests of the respondent.

10 d. Any other matters the court directs.

11 6. The report of the court visitor shall be made part of the
12 court record unless otherwise ordered by the court.

13 **Sec. 22. NEW SECTION. 633.563 Court-ordered professional**
14 **evaluation.**

15 1. At or before a hearing on petition for the appointment of
16 a guardian or conservator or the modification or termination

17 of a guardianship or conservatorship, the court shall order a
18 professional evaluation of the respondent unless one of the
19 following criteria are met:
20 a. The court finds it has sufficient information to
21 determine whether the criteria for a guardianship or
22 conservatorship are met.
23 b. The petitioner or respondent has filed a professional
24 evaluation.
25 2. Notwithstanding subsection 1, if the respondent has
26 filed a professional evaluation and the court determines an
27 additional professional evaluation will assist the court in
28 understanding the decision-making capacity and functional
29 abilities and limitations of the respondent, the court may
30 order a professional evaluation of the respondent.
31 3. If the court orders an evaluation, the evaluation shall
32 be conducted by a licensed physician, psychologist, social
33 worker, or other individual who is qualified to conduct an
34 evaluation appropriate for the respondent being assessed.
35 4. Unless otherwise directed by the court, the report must

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1 contain all of the following:
2 a. A description of the nature, type, and extent of the
3 respondent's cognitive and functional abilities and limitation.
4 b. An evaluation of the respondent's mental and physical
5 condition and, if appropriate, educational potential, adaptive
6 behavior, and social skills.
7 c. A prognosis for improvement and recommendation for the
8 appropriate treatment, support, or habilitation plan.
9 d. The evaluator's qualifications to evaluate the
10 respondent's cognitive and functional abilities limitations and
11 lack of conflict of interest.
12 e. The date of examination on which the report is based.
13 5. The cost of the professional evaluation shall be paid by
14 the respondent unless the respondent is indigent as defined in
15 section 633.561, subsection 3, in which case the costs shall
16 be paid by the county in which the proceedings are pending or
17 unless the court orders otherwise.
18 6. At the request of the respondent, the court shall seal
19 the record of the results of the evaluation ordered by the
20 court subject to the exceptions in subsection 7.
21 7. The results of the evaluation ordered by the court shall
22 be made available to the court and the following:
23 a. The respondent and the respondent's attorney.
24 b. The petitioner and the petitioner's attorney.
25 c. A court visitor as described in section 633.562.
26 d. Other persons for good cause shown for such purposes as
27 the court may order.
28 Sec. 23. **NEW SECTION. 633.564 Background check of proposed**
29 **guardian or conservator.**
30 1. The court shall request criminal record checks and

31 checks of the child abuse, dependent adult abuse, and sexual
32 offender registries in this state for all proposed guardians
33 and conservators, other than financial institutions with Iowa
34 trust powers.

35 2. The court shall review the results of background checks

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1 in determining the suitability of a proposed guardian or
2 conservator for appointment.

3 3. The judicial branch, in conjunction with the department
4 of public safety, the department of human services, and the
5 state chief information officer, shall establish procedures for
6 electronic access to the single contact repository established
7 pursuant to section 135C.33 necessary to conduct background
8 checks requested under subsection 1.

9 4. The person who files a petition for appointment of
10 guardian or conservator shall be responsible for paying the fee
11 for the background check conducted through the single contact
12 repository established pursuant to section 135C.33.

13 Sec. 24. NEW SECTION. **633.565 Qualifications and selection**
14 **of guardian or conservator for an adult.**

15 The court shall appoint as guardian or conservator any
16 qualified and suitable person who is willing to serve as
17 guardian or conservator.

18 Sec. 25. NEW SECTION. **633.567 Appointment of guardian or**
19 **conservator for minor approaching majority on a standby basis.**

20 Any adult with an interest in the welfare of a minor who
21 is at least seventeen years and six months of age may file
22 a verified petition pursuant to section 633.552 or section
23 633.553 to initiate a proceeding to appoint a guardian or
24 conservator for the minor to take effect on the minor's
25 eighteenth birthday.

26 Sec. 26. NEW SECTION. **633.569 Emergency appointment of**
27 **temporary guardian or conservator.**

28 1. A person authorized to file a petition under section
29 633.552, 633.553, or 633.554 may file an application for the
30 emergency appointment of a temporary guardian or conservator.

31 2. Such application shall state all of the following:

32 a. The name and address of the respondent.

33 b. The name and address of the proposed guardian or
34 conservator and the reason the proposed guardian or conservator
35 should be selected.

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1 c. The reason the emergency appointment of a temporary
2 guardian is sought.

3 3. The court may enter an ex parte order appointing a
4 temporary guardian on an emergency basis under this section if
5 the court finds that all of the following conditions are met:

6 a. There is not sufficient time to file a petition and hold

7 a hearing pursuant to section 633.552, 633.553, or 633.554.

8 b. The appointment of a temporary guardian or conservator
9 is necessary to avoid immediate or irreparable harm to the
10 respondent.

11 c. There is reason to believe that the basis for appointment
12 of guardian or conservator exists under section 633.552,
13 633.553, or 633.554.

14 4. Notice of a petition for the appointment of a temporary
15 guardian or conservator and the issuance of an ex parte
16 order appointing a temporary guardian or conservator shall be
17 provided to the respondent, the respondent's attorney, and any
18 other person the court determines should receive notice.

19 5. Upon the issuance of an ex parte order, if the respondent
20 is an adult, the respondent may file a request for a hearing.
21 If the respondent is a minor, the respondent, a parent having
22 legal custody of the respondent, or any other person having
23 legal custody of the respondent may file a written request for
24 a hearing. Such hearing shall be held no later than seven days
25 after the filing of a written request.

26 6. The powers of the temporary guardian or conservator
27 set forth in the order of the court shall be limited to those
28 necessary to address the emergency situation requiring the
29 appointment of a temporary guardian or conservator.

30 7. The temporary guardianship or conservatorship shall
31 terminate within thirty days after the order is issued.

32 Sec. 27. NEW SECTION. **633.570 Notification of guardianship**
33 **and conservatorship powers.**

34 1. In a proceeding for the appointment of a guardian, the
35 respondent shall be given written notice which advises the

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1 respondent of the powers that a guardian may exercise without
2 court approval pursuant to section 633.635, subsection 2, and
3 the powers that the guardian may exercise only with court
4 approval pursuant to section 633.635, subsection 3.

5 2. In a proceeding for the appointment of a conservator,
6 the respondent shall be given written notice which advises
7 the respondent of the powers that a conservator may exercise
8 without court approval pursuant to section 633.646 and the
9 powers that the guardian may exercise only with court approval
10 pursuant to section 633.647.

11 3. If the respondent is an adult, the notice shall
12 clearly advise the respondent of the respondent's rights to
13 representation by an attorney and the potential deprivation of
14 the respondent's civil rights. The notice shall also state
15 that the respondent may be represented by the respondent's own
16 attorney rather than an attorney appointed by the court. If
17 the respondent is an adult, notice shall be served upon the
18 respondent with the notice of the filing of the petition as
19 provided in section 633.558. If the respondent is a minor,
20 notice shall be served upon the respondent with the notice of

21 the filing of a petition as provided in section 633.559.

22 Sec. 28. Section 633.574, Code 2019, is amended to read as
23 follows:

24 **633.574 Procedure in lieu of conservatorship for a minor.**

25 If a conservator has not been appointed ~~for a minor~~, money
26 due a minor or other property to which a minor is entitled,
27 not exceeding in the aggregate twenty-five thousand dollars
28 in value, shall be paid or delivered to a custodian under any
29 uniform transfers to minors Act. The written receipt of the
30 custodian constitutes an acquittance of the person making the
31 payment of money or delivery of property.

32 Sec. 29. Section 633.591, Code 2019, is amended to read as
33 follows:

34 **633.591 Voluntary petition for appointment of conservator —**
35 **standby basis.**

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1 Any person of full age and sound mind may execute a verified
2 petition for the voluntary appointment of a conservator of the
3 person's property upon the express condition that such petition
4 shall be acted upon by the court only upon the occurrence of an
5 event specified or the existence of a described condition of
6 the mental or physical health of the petitioner, the occurrence
7 of which event, or the existence of which condition, shall
8 be established in the manner directed in the petition. The
9 petition, if executed on or after January 1, 1991, shall advise
10 the ~~proposed ward respondent~~ of a conservator's powers as
11 provided in section ~~633.576~~ 633.570.

12 Sec. 30. Section 633.634, Code 2019, is amended to read as
13 follows:

14 **633.634 Combination of ~~voluntary and standby~~ petitions with**
15 **~~involuntary petition for hearing~~.**

16 If prior to the time of hearing on a petition for the
17 appointment of a guardian or a conservator, a petition is filed
18 under the provisions of section ~~633.556~~, 633.557, ~~633.572~~ or
19 633.591, the court shall combine the hearing on such petitions
20 and determine who shall be appointed guardian or conservator,
21 and such petition shall be triable to the court.

22 Sec. 31. Section 633.635, Code 2019, is amended to read as
23 follows:

24 **633.635 Responsibilities of guardian.**

25 1. The order by the court appointing a guardian shall state
26 the basis for the guardianship pursuant to section 633.552.

27 ~~4. 2.~~ Based upon the evidence produced at the hearing, the
28 court may grant a guardian the following powers and duties with
29 respect to a protected person which may be exercised without
30 prior court approval:

31 a. Providing for the care, comfort and maintenance of the
32 ward, including the appropriate training and education to
33 maximize the ward's potential. Making decisions regarding the
34 care, maintenance, health, education, welfare, and safety of

35 the protected person except as otherwise limited by the court.

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1 b. Establishing the protected person's permanent residence
2 except as limited by subsection 3.
3 ~~b. c.~~ c. Taking reasonable care of the ward's protected
4 person's clothing, furniture, vehicle, and other personal
5 effects, and companion animals, assistive animals, assistance
6 animals, and service animals.
7 ~~e. d.~~ d. Assisting the ward protected person in developing
8 maximum self-reliance and independence.
9 ~~d. Ensuring the ward receives necessary emergency medical~~
10 ~~services.~~
11 e. Ensuring the ward receives professional care, counseling,
12 treatment, or services as needed. If necessitated by the
13 physical or mental disability of the ward, the provision of
14 professional care, counseling, treatment, or services limited
15 to the provision of routine physical and dental examinations
16 and procedures under anesthesia is included, if the anesthesia
17 is provided within the scope of the health care practitioner's
18 scope of practice Consenting to and arranging for medical,
19 dental, and other health care treatment and services for the
20 protected person except as otherwise limited by subsection 3.
21 f. Consenting to and arranging for other needed professional
22 services for the protected person.
23 g. Consenting to and arranging for appropriate training,
24 educational, and vocational services for the protected person.
25 h. Maintaining contact, including through regular visitation
26 with the protected person if the protected person does not
27 reside with the guardian.
28 ~~f. i.~~ i. Making reasonable efforts to identify and
29 facilitate supportive relationships and interactions of the
30 protected person with family members and significant other
31 persons. The guardian may place reasonable time, place,
32 or manner restrictions on communication, visitation, or
33 interaction between the adult ward protected person and another
34 person except as otherwise limited by subsection 3.
35 ~~g. j.~~ j. Any other powers or duties the court may specify.

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1 ~~2. 3.~~ 3. A guardian may be granted the following powers which
2 may only be exercised upon court approval:
3 a. Changing, at the guardian's request, the ward's permanent
4 residence if the proposed new residence is more restrictive of
5 the ward's liberties than the current residence the protected
6 person's permanent residence to a nursing home, other secure
7 facility, or secure portion of a facility that restricts the
8 protected person's ability to leave or have visitors, unless
9 advance notice of the change was included in the guardian's
10 initial care plan that was approved by the court. In an

11 emergency situation, the court shall review the request for
 12 approval on an expedited basis.
 13 b. Arranging the provision of major elective surgery or any
 14 other nonemergency major medical procedure. For the purposes
 15 of this paragraph, "major elective surgery" and "nonemergency
 16 major medical procedure" do not include the provision to the
 17 ward of professional care, counseling, treatment, or services
 18 limited to the provision of routine physical and dental
 19 examinations and procedures under anesthesia, if the use of
 20 anesthesia is necessitated by the physical or mental disability
 21 of the ward, and if the anesthesia is provided within the scope
 22 of the health care practitioner's scope of practice.
 23 Consenting to the following:
 24 (1) The withholding or withdrawal of life-sustaining
 25 procedures from the protected person in accordance with chapter
 26 144A or 144D.
 27 (2) The performance of an abortion on the protected person.
 28 (3) The sterilization of the protected person.
 29 e. Consent to the withholding or withdrawal of
 30 life sustaining procedures in accordance with chapter 144A.
 31 d. c. Denying all communication, visitation, or interaction
 32 by an adult ward a protected person with a person with whom
 33 the adult ward protected person has expressed a desire to
 34 communicate, visit, or interact or with a person who seeks to
 35 communicate, visit, or interact with the adult ward protected

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1 person. A court shall approve the denial of all communication,
 2 visitation, or interaction with another person only upon a
 3 showing of good cause by the guardian.
 4 2. For the purposes of this section:
 5 a. "Routine dental examinations and procedures" includes
 6 preventive services, diagnostic services, restorative services,
 7 periodontal services, endodontic services, oral surgery,
 8 prosthetic services, and orthodontic procedures.
 9 b. "Routine physical examinations and procedures" includes
 10 examinations and procedures performed for the purpose of
 11 general treatment or diagnosis or for the purpose of treatment
 12 or diagnosis related to a specific illness, symptom, complaint,
 13 or injury.
 14 4. The court may take into account all available information
 15 concerning the capabilities of the ward respondent or
 16 the protected person and any additional evaluation deemed
 17 necessary, including the availability of third-party assistance
 18 to meet the needs of the ward or proposed ward respondent or
 19 the protected person, and may direct that the guardian have
 20 only a specially limited responsibility for the ward protected
 21 person. In that event, the court shall state those areas of
 22 responsibility which shall be supervised by the guardian and
 23 all others shall be retained by the ward protected person. The
 24 court may make a finding that the ward protected person lacks

25 the capacity to contract a valid marriage.
26 5. From time to time, upon a proper showing, the court may
27 modify the respective responsibilities of the guardian and
28 the ward protected person, after notice to the ward protected
29 person and an opportunity to be heard. Any modification that
30 would be more restrictive or burdensome for the ward protected
31 person shall be based on clear and convincing evidence that the
32 ward protected person continues to fall within the categories
33 of meet the basis for the appointment of a guardian pursuant
34 to section 633.552, subsection 2, paragraph "a" or "b", and
35 that the facts justify a modification of the guardianship.

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1 Section 633.551 applies to the modification proceedings. Any
2 modification that would be less restrictive for the ward
3 protected person shall be based upon proof in accordance with
4 the requirements of section 633.675.

5 Sec. 32. Section 633.641, Code 2019, is amended by striking
6 the section and inserting in lieu thereof the following:

7 **633.641 Duties of conservator.**

8 1. A conservator is a fiduciary and has duties of prudence
9 and loyalty to the protected person.

10 2. In investing and selecting specific property for
11 distribution, a conservator shall consider any estate plan or
12 other donative, nominative, or appointive instrument of the
13 protected person, known to the conservator.

14 3. If a protected person has executed a valid power of
15 attorney under chapter 633B, the conservator shall act in
16 accordance with the applicable provisions of chapter 633B.

17 4. The conservator shall report to the department of human
18 services the protected person's assets and income, if the
19 protected person is receiving medical assistance under chapter
20 249A. Such reports shall be made upon establishment of a
21 conservatorship for an individual applying for or receiving
22 medical assistance, upon application for benefits on behalf
23 of the protected person, upon annual or semiannual review of
24 continued medical assistance eligibility, when any significant
25 change in the protected person's assets or income occurs, or
26 as otherwise requested by the department of human services.
27 Written reports shall be provided to the department of human
28 services office for the county in which the protected person
29 resides or the office in which the protected person's medical
30 assistance is administered.

31 Sec. 33. NEW SECTION. **633.642 Responsibilities of**
32 **conservator.**

33 Except as otherwise ordered by the court, a conservator
34 must give notice to persons entitled to notice and receive
35 specific prior authorization by the court before the

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1 conservator may take any other action on behalf of the
2 protected person. These other powers requiring court approval
3 include the authority of the conservator to:

4 1. Invest the protected person's assets consistent with
5 section 633.123.

6 2. Make gifts on the protected person's behalf from
7 conservatorship assets to persons or religious, educational,
8 scientific, charitable, or other nonprofit organizations to
9 whom or to which such gifts were regularly made prior to the
10 conservator's appointment; or on a showing that such gifts
11 would benefit the protected person from the perspective of
12 gift, estate, inheritance, or other taxes. No gift shall be
13 allowed which would foreseeably prevent adequate provision for
14 the protected person's best interest.

15 3. Make payments consistent with the conservator's plan
16 described above directly to the protected person or to others
17 for the protected person's education and training needs.

18 4. Use the protected person's income or assets to provide
19 for any person that the protected person is legally obligated
20 to support.

21 5. Compromise, adjust, arbitrate, or settle any claim by or
22 against the protected person or the conservator.

23 6. Make elections for a protected person who is the
24 surviving spouse as provided in sections 633.236 and 633.240.

25 7. Exercise the right to disclaim on behalf of the protected
26 person as provided in section 633E.5.

27 8. Sell, mortgage, exchange, pledge, or lease the protected
28 person's real and personal property consistent with subchapter
29 VII, part 6 of this chapter regarding sale of property from a
30 decedent's estate.

31 Sec. 34. Section 633.648, Code 2019, is amended to read as
32 follows:

33 **633.648 Appointment of attorney in compromise of personal**
34 **injury settlements.**

35 Notwithstanding the provisions of section ~~633.647~~ 633.642

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1 prior to authorizing a compromise of a claim for damages on
2 account of personal injuries to the ward, the court may order
3 an independent investigation by an attorney other than by the
4 attorney for the conservator. The cost of such investigation,
5 including a reasonable attorney fee, shall be taxed as part of
6 the cost of the conservatorship.

7 Sec. 35. Section 633.669, Code 2019, is amended to read as
8 follows:

9 **633.669 Reporting requirements — assistance by clerk.**

10 1. A guardian appointed by the court under this chapter
11 shall file with the court the following written verified
12 reports which shall not be waived by the court:

- 13 a. An initial ~~report within sixty days of the guardian's~~
14 ~~appointment care plan filed within sixty days of appointment.~~
15 The information in the initial care plan shall include but not
16 be limited to the following information:
17 (1) The current residence of the protected person and the
18 guardian's plan for the protected person's living arrangements.
19 (2) The guardian's plan for payment of the protected
20 person's living expenses and other expenses.
21 (3) The protected person's health status and health care
22 needs, and the guardian's plan for meeting the protected
23 person's needs for medical, dental, and other health care
24 needs.
25 (4) If applicable, the guardian's plan for other
26 professional services needed by the protected person.
27 (5) If applicable, the guardian's plan for meeting the
28 educational, training, and vocational needs of the protected
29 person.
30 (6) If applicable, the guardian's plan for facilitating the
31 participation of the protected person in social activities.
32 (7) The guardian's plan for facilitating contacts between
33 the protected person and the protected person's family members
34 and other significant persons.
35 (8) The guardian's plan for contact with, and activities on

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- 1 behalf of, the protected person.
2 b. An annual report, filed within ~~ninety~~ sixty days of
3 the close of the reporting period, unless the court otherwise
4 orders on good cause shown. The information in the annual
5 report shall include but not be limited to the following
6 information:
7 (1) The current living arrangements of the protected
8 person.
9 (2) The sources of payment for the protected person's living
10 expenses and other expenses.
11 (3) A description, if applicable, of the following:
12 (a) The protected person's physical and mental health
13 status and the medical, dental, and other professional services
14 provided to the protected person.
15 (b) If applicable, the protected person's employment status
16 and the educational, training, and vocational services provided
17 to the protected person.
18 (c) The contact of the protected person with family members
19 and other significant persons.
20 (d) The nature and extent of the guardian's visits with, and
21 activities on behalf of, the protected person.
22 (4) The guardian's recommendation as to the need for
23 continuation of the guardianship.
24 (5) The ability of the guardian to continue as guardian.
25 (6) The need of the guardian for assistance in providing or
26 arranging for the provision of the care and protection of the

27 protected person.

28 c. A final report within thirty days of the termination
29 of the guardianship under section 633.675 unless that time is
30 extended by the court.

31 ~~2. Reports required by this section must include:~~

32 ~~a. The current mental and physical condition of the ward.~~

33 ~~b. The present living arrangement of the ward, including a~~
34 ~~description of each residence where the ward has resided during~~
35 ~~the reporting period.~~

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1 ~~e. A summary of the medical, educational, vocational and~~
2 ~~technical, and other professional services provided for the~~
3 ~~ward.~~

4 ~~d. A description of the guardian's visits with and~~
5 ~~activities on behalf of the ward.~~

6 ~~e. A recommendation as to the need for continued~~
7 ~~guardianship.~~

8 ~~f. Other information requested by the court or useful in the~~
9 ~~opinion of the guardian.~~

10 ~~2. 2.~~ The court shall develop a simplified uniform
11 reporting form for use in filing the required reports.

12 ~~4. 3.~~ The clerk of the court shall notify the guardian
13 in writing of the reporting requirements and shall provide
14 information and assistance to the guardian in filing the
15 reports.

16 ~~5. 4.~~ Reports of guardians shall be reviewed and approved
17 by a district court judge or referee.

18 ~~6. Reports required by this section shall, if requested, be~~
19 ~~served on the attorney appointed to represent the ward in the~~
20 ~~guardianship proceeding and all other parties appearing in the~~
21 ~~proceeding.~~

22 Sec. 36. Section 633.670, Code 2019, is amended by striking
23 the section and inserting in lieu thereof the following:

24 **633.670 Reports by conservators.**

25 1. A conservator shall file an initial plan for protecting,
26 managing, investing, expending, and distributing the assets
27 of the conservatorship estate within ninety days after
28 appointment. The plan must be based on the needs of the
29 protected person and take into account the best interest of the
30 protected person as well as the protected person's preference,
31 values, and prior directions to the extent known to, or
32 reasonably ascertainable by, the conservator.

33 a. The initial plan shall include all of the following:

34 (1) A budget containing projected expenses and resources,
35 including an estimate of the total amount of fees the

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1 conservator anticipates charging per year and a statement or
2 list of the amount the conservator proposes to charge for each

3 service the conservator anticipates providing to the protected
4 person.

5 (2) A statement as to how the conservator will involve
6 the protected person in decisions about management of the
7 conservatorship estate.

8 (3) If ordered by the court, any step the conservator plans
9 to take to develop or restore the ability of the protected
10 person to manage the conservatorship estate.

11 (4) An estimate of the duration of the conservatorship.

12 b. Within two days after filing the initial plan, the
13 conservator shall give notice of the filing of the initial plan
14 with a copy of the plan to the protected person, the protected
15 person's attorney and court advisor, if any, and others as
16 directed by the court. The notice must state that any person
17 entitled to a copy of the plan must file any objections to the
18 plan not later than fifteen days after it is filed.

19 c. At least twenty days after the plan has been filed, the
20 court shall review and determine whether the plan should be
21 approved or revised, after considering objections filed and
22 whether the plan is consistent with the conservator's powers
23 and duties.

24 d. After approval by the court, the conservator shall
25 provide a copy of the approved plan and order approving the
26 plan to the protected person, the protected person's attorney
27 and court advisor, if any, and others as directed by the court.

28 e. The conservator shall file an amended plan when there has
29 been a significant change in circumstances or the conservator
30 seeks to deviate significantly from the plan. Before the
31 amended plan is implemented, the provisions for court approval
32 of the plan shall be followed as provided in paragraphs "b",
33 "c", and "d".

34 2. A conservator shall file an inventory of the protected
35 person's assets within ninety days after appointment which

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1 includes an oath or affirmation that the inventory is believed
2 to be complete and accurate as far as information permits.
3 Copies of the inventory shall be provided to the protected
4 person, the protected person's attorney and court advisor, if
5 any, and others as directed by the court. When the conservator
6 receives additional property of the protected person, or
7 becomes aware of its existence, a description of the property
8 shall be included in the conservator's next annual report.

9 3. A conservator shall file a written and verified report
10 for the period since the end of the preceding report period.
11 The court shall not waive these reports.

12 a. These reports shall include all of the following:

13 (1) Balance of funds on hand at the beginning and end of the
14 period.

15 (2) Disbursements made.

16 (3) Changes in the conservator's plan.

- 17 (4) List of assets as of the end of the period.
18 (5) Bond amount and surety's name.
19 (6) Residence and physical location of the protected
20 person.
21 (7) General physical and mental condition of the protected
22 person.
23 (8) Other information reflecting the condition of the
24 conservatorship estate.
25 b. These reports shall be filed:
26 (1) On an annual basis within sixty days of the end of the
27 reporting period unless the court orders an extension for good
28 cause shown in accordance with the rules of probate procedure.
29 (2) Within thirty days following removal of the
30 conservator.
31 (3) Upon the conservator's filing of a resignation and
32 before the resignation is accepted by the court.
33 (4) Within sixty days following the termination of the
34 conservatorship.
35 (5) At other times as ordered by the court.

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- 1 c. Reports required by this section shall be served on the
2 protected person's attorney and court advisor, if any, and the
3 veterans administration if the protected person is receiving
4 veterans benefits.
5 Sec. 37. Section 633.675, Code 2019, is amended to read as
6 follows:
7 **633.675 Cause for termination.**
8 1. A guardianship ~~shall cease~~, and a conservatorship
9 shall terminate, upon the occurrence of any of the following
10 circumstances:
11 a. If the ~~ward~~ protected person is a minor, when the ~~ward~~
12 protected person reaches full age.
13 b. The death of the ~~ward~~ protected person.
14 c. ~~A determination by the court that the ward is no longer~~
15 ~~a person whose decision making capacity is so impaired as~~
16 ~~to bring the ward within the categories of section 633.552,~~
17 ~~subsection 2, paragraph "a", or section 633.566, subsection 2,~~
18 ~~paragraph "a". In a proceeding to terminate a guardianship or~~
19 ~~a conservatorship, the ward shall make a prima facie showing~~
20 ~~that the ward has some decision making capacity. Once the~~
21 ~~ward has made that showing, the guardian or conservator has~~
22 ~~the burden to prove by clear and convincing evidence that the~~
23 ~~ward's decision making capacity is so impaired, as provided~~
24 ~~in section 633.552, subsection 2, paragraph "a", or section~~
25 ~~633.566, subsection 2, paragraph "a", that the guardianship or~~
26 ~~conservatorship should not be terminated.~~
27 ~~d. c.~~ Upon determination by the court that the
28 conservatorship or guardianship is no longer necessary for any
29 other reason.
30 2. ~~Notwithstanding subsection 1, paragraphs "a" through~~

31 “d”, if the court appointed a guardian for a minor child for
32 whom the court’s jurisdiction over the child’s guardianship
33 was established pursuant to transfer of the child’s case in
34 accordance with section 232.101A or 232.104, the court shall
35 not enter an order terminating the guardianship before the

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1 child becomes age eighteen unless the court finds by clear
2 and convincing evidence that the best interests of the child
3 warrant a return of custody to the child’s parent. The
4 court shall terminate a guardianship if it finds by clear and
5 convincing evidence that the basis for appointing a guardian
6 pursuant to section 633.552 is not satisfied.
7 3. The court shall terminate a conservatorship if the court
8 finds by clear and convincing evidence that the basis for
9 appointing a conservator pursuant to section 633.553 or 633.554
10 is not satisfied.
11 4. The standard of proof and the burden of proof to be
12 applied in a termination proceeding shall be the same as set
13 forth in section 633.551, subsection 2.

14 Sec. 38. Section 633.717, subsection 8, Code 2019, is
15 amended to read as follows:

16 8. The denial by a court of this state of a petition to
17 accept a guardianship or conservatorship transferred from
18 another state does not affect the ability of the guardian or
19 conservator to seek appointment as guardian or conservator in
20 this state under section 633.551, ~~633.552~~, or ~~633.566~~ 633.556.
21 if the court has jurisdiction to make an appointment other than
22 by reason of the provisional order of transfer.

23 Sec. 39. Section 633B.102, subsections 2 and 6, Code 2019,
24 are amended to read as follows:

25 2. “Conservator” or “conservatorship” means a conservator
26 appointed or conservatorship established pursuant to ~~sections~~
27 ~~633.570 and 633.572~~ section 633.553, 633.554, or 633.567 or a
28 similar provision of the laws of another state.

29 6. “Guardian” or “guardianship” means a guardian appointed
30 or a guardianship established pursuant to sections ~~633.556~~
31 633.552 and ~~633.560~~ 633.568 or a similar provision of the laws
32 of another state.

33 Sec. 40. Section 633B.108, subsection 1, Code 2019, is
34 amended to read as follows:

35 1. Under a power of attorney, a principal may nominate

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1 a conservator of the principal’s estate or guardian of
2 the principal’s person for consideration by the court if
3 proceedings for the principal’s estate or person are begun
4 after the principal executes the power of attorney. Except
5 for good cause shown or disqualification, the court shall make
6 its appointment in accordance with the principal’s most recent

7 nomination. This section does not prohibit an individual
 8 from executing a petition for the voluntary appointment of a
 9 guardian or conservator on a standby basis pursuant to sections
 10 ~~633.560~~ 633.568 and 633.591.
 11 Sec. 41.REPEAL. Sections 633.552, 633.554, 633.555,
 12 633.556, 633.557, 633.558, 633.559, 633.562, 633.566, 633.568,
 13 633.569, 633.570, 633.572, 633.573, 633.575, 633.576, 633.646,
 14 633.647, 633.649, 633.650, and 633.652, Code 2019, are
 15 repealed.
 16 Sec. 42.CODE EDITOR'S DIRECTIVE.
 17 The Code editor is directed to make the following transfers:
 18 1. Section 633.560 to 633.568.
 19 2. Section 633.571 to 633.566.
 20 3. Section 633.574 to 633.555.>

DAN DAWSON

S-3146

1 Amend Senate File 425 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <DIVISION I
 5 IOWA MINOR GUARDIANSHIP PROCEEDINGS ACT
 6 Section 1. NEW SECTION. 232D.101 Title.
 7 This chapter shall be known as the "*Iowa Minor Guardianship*
 8 *Proceedings Act*".
 9 Sec. 2. NEW SECTION. 232D.102 Definitions.
 10 1. "*Adult*" means a person eighteen years of age or older
 11 or a person declared to be emancipated by a court of competent
 12 jurisdiction.
 13 2. "*Conservator*" means a person appointed by a court to have
 14 custody and control of the property of a minor.
 15 3. "*Court*" means the juvenile court established under
 16 section 602.7101.
 17 4. "*Demonstrated lack of consistent parental participation*"
 18 means the refusal of a parent to comply with duties and
 19 responsibilities imposed upon a parent by the parent-child
 20 relationship, including but not limited to providing the minor
 21 with necessary food, clothing, shelter, health care, education,
 22 and other care and supervision necessary for the minor's
 23 physical, mental, and emotional health and development.
 24 5. "*Guardian*" means a person appointed by the court to have
 25 custody of a minor.
 26 6. "*Legal custodian*" means a person awarded legal custody
 27 of a minor.
 28 7. "*Legal custody*" means an award of the rights of legal
 29 custody of a minor under which a parent has legal custodial
 30 rights and responsibilities toward the minor child including
 31 but not limited to decision making affecting the minor's legal
 32 status, medical care, education, extracurricular activities,
 33 and religious instruction.

34 8. *“Limited guardianship”* means a guardianship that grants
35 the guardian less than all powers available under this chapter

Page 2

1 or otherwise restricts the powers of the guardian.
2 9. *“Minor”* means an unmarried and unemancipated person under
3 the age of eighteen years.

4 10. *“Parent”* means a biological or adoptive mother or father
5 of a child, a person whose parental status has been established
6 by operation of law due to the person’s marriage to the mother
7 at the time of the conception or birth of the child, by order
8 of a court of competent jurisdiction, or by an administrative
9 order when authorized by state law. *“Parent”* does not include a
10 person whose parental rights have been terminated.

11 Sec. 3. NEW SECTION. 232D.103 Jurisdiction.

12 The juvenile court has exclusive jurisdiction in a
13 guardianship proceeding concerning a minor who is alleged to
14 be in need of a guardianship.

15 Sec. 4. NEW SECTION. 232D.104 Venue.

16 1. Venue for guardianship proceedings under this chapter
17 shall be in the judicial district where the minor is found or
18 in the judicial district of the minor’s residence.

19 2. The court may transfer a guardianship proceeding brought
20 under this chapter to the juvenile court of any county having
21 venue at any stage in the proceedings as follows:

22 a. When it appears that the best interests of the minor
23 or the convenience of the proceedings shall be served by a
24 transfer, the court may transfer the case to the court of the
25 county of the minor’s residence.

26 b. With the consent of the receiving court, the court may
27 transfer the case to the court of the county where the minor is
28 found.

29 3. The court shall transfer the case by ordering the
30 transfer and a continuance and by forwarding to the clerk
31 of the receiving court a certified copy of all papers filed
32 together with an order of transfer. The judge of the receiving
33 court may accept the filings of the transferring court or may
34 direct the filing of a new petition and hear the case anew.

35 Sec. 5. NEW SECTION. 232D.105 Proceedings governed by other

Page 3

1 **law.**

2 1. A petition alleging that a minor is in need of a
3 conservatorship is not subject to this chapter. Such
4 proceedings shall be governed by chapter 633 and may be
5 initiated pursuant to section 633.627.

6 2. A petition for the appointment of a guardian for a minor
7 and a petition for appointment of a conservator of a minor
8 shall not be combined.

9 3. If a minor guardianship proceeding under this chapter

10 pertains to an Indian child as defined in section 232B.3 and
11 the proceeding is subject to the Iowa Indian child welfare Act
12 under chapter 232B, the proceeding and other actions taken in
13 connection with the proceeding shall comply with chapter 232B.

14 Sec. 6. NEW SECTION. **232D.106 Applicability of rules of**
15 **civil procedure.**

16 The rules of civil procedure shall govern guardianship
17 proceedings concerning a minor who is alleged to be in need of
18 a guardianship except as otherwise set forth in this chapter.

19 Sec. 7. NEW SECTION. **232D.201 Termination of parental**
20 **rights and child in need of assistance cases.**

21 1. The court may appoint a guardian for a minor who does not
22 have a guardian if all parental rights have been terminated.

23 2. The court may appoint a guardian for a minor in a child
24 in need of assistance case pursuant to section 232.101A,
25 232.103A, or 232.104.

26 Sec. 8. NEW SECTION. **232D.202 Death of parents.**

27 1. The court may appoint a guardian for a minor if both
28 parents are deceased.

29 2. In appointing a guardian for a minor whose parents are
30 deceased, the court shall give preference to a person, if
31 qualified and suitable, nominated as guardian for a minor by a
32 will that was executed by the parent or parents having legal
33 custody of the minor at the time of the parent's or parents'
34 death, and that was admitted to probate under chapter 633.

35 Sec. 9. NEW SECTION. **232D.203 Guardianship with parental**

Page 4

1 **consent.**

2 1. The court may appoint a guardian for a minor if the court
3 finds all of the following:

4 a. The parent or parents having legal custody of the minor
5 understand the nature of the guardianship and knowingly and
6 voluntarily consent to the guardianship.

7 b. The minor is in need of a guardianship because of any one
8 of the following:

9 (1) The parent having legal custody of the minor has a
10 physical or mental illness that prevents the parent from
11 providing care and supervision of the child.

12 (2) The parent having legal custody of the minor is
13 incarcerated or imprisoned.

14 (3) The parent having legal custody of the minor is on
15 active military duty.

16 (4) The minor is in need of a guardianship for some other
17 reason constituting good cause shown.

18 c. Appointment of a guardian for the minor is in the best
19 interest of the minor.

20 2. If the guardianship petition requests a guardianship
21 with parental consent, the petition shall include an affidavit
22 signed by the parent or parents verifying that the parent or
23 parents knowingly and voluntarily consent to the guardianship.

24 The consent required by this subsection shall be on a form
25 prescribed by the judicial branch.
26 3. On or before the date of the hearing on the petition,
27 the parent or parents and the proposed guardian shall file
28 an agreement with the court. This agreement shall state the
29 following:
30 a. The responsibilities of the guardian.
31 b. The responsibilities of the parent or parents.
32 c. The expected duration of the guardianship, if known.
33 4. If the court grants the petition, it shall approve the
34 guardianship agreement between the custodial parent and the
35 proposed guardian and incorporate its terms by reference unless

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1 the court finds the agreement was not reached knowingly and
2 voluntarily or is not in the best interests of the child.
3 Sec. 10. NEW SECTION. **232D.204 Guardianship without**
4 **parental consent.**
5 1. The court may appoint a guardian for a minor without the
6 consent of the parent or parents having legal custody of the
7 minor if the court finds by clear and convincing evidence all
8 of the following:
9 a. There is a person serving as a de facto guardian of the
10 minor.
11 b. There has been a demonstrated lack of consistent
12 parental participation in the life of the minor by the parent.
13 In determining whether a parent has demonstrated a lack of
14 consistent participation in the minor's life, the court may
15 consider all of the following:
16 (1) The intent of the parent in placing the custody, care,
17 and supervision of the minor with the person petitioning as a
18 de facto guardian and the facts and circumstances regarding
19 such placement.
20 (2) The amount of communication and visitation of the parent
21 with the minor during the alleged de facto guardianship.
22 (3) Any refusal of the parent to comply with conditions for
23 retaining custody of the minor set forth in any previous court
24 orders.
25 2. The court may appoint a guardian for a minor without the
26 consent of the parent or parents having legal custody of the
27 minor if the court finds by clear and convincing evidence all
28 of the following:
29 a. No parent having legal custody of the minor is willing or
30 able to exercise the power the court will grant to the guardian
31 if the court appoints a guardian.
32 b. Appointment of a guardian for the minor is in the best
33 interest of the minor.
34 3. Prior to granting a petition for guardianship, the
35 court shall consider whether the filing of a child in need of

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1 assistance petition is appropriate under section 232.87. If
2 the court determines a child in need of assistance petition is
3 not appropriate, the court shall make findings of why a child
4 in need of assistance petition is not appropriate.

5 4. A proceeding under this section shall not create a new
6 eligibility category for the department of human services
7 protective services.

8 Sec. 11. NEW SECTION. 232D.301 Petition.

9 1. Proceedings for guardianship pursuant to this chapter
10 may be initiated by the filing of a petition by any person with
11 an interest in the welfare of the minor.

12 2. The petition shall list, to the extent known, all of the
13 following:

14 a. The name, age, and address of the minor who is the
15 subject of the petition.

16 b. The name and address of the petitioner and the
17 petitioner's relationship to the minor.

18 c. If the petitioner is not the proposed guardian, the
19 name and address of the proposed guardian and the reason the
20 proposed guardian should be selected.

21 d. The name and address, to the extent known and
22 ascertainable, of the following:

23 (1) Any living parents of the minor.

24 (2) Any legal custodian of the minor.

25 (3) Any adult who has had the primary care of the minor or
26 with whom the minor has lived for at least six months prior to
27 the filing of the petition.

28 3. The petition shall contain a concise statement of the
29 factual basis for the petition.

30 4. The petition shall state whether a limited guardianship
31 is appropriate.

32 5. Any additional information, to the extent known and
33 reasonably ascertainable, required by section 598B.209 shall be
34 included in an affidavit attached to the petition.

35 6. The petition may request that a temporary guardian for

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1 a minor may be appointed. Such a petition shall specify the
2 duration of the requested temporary guardianship and the reason
3 for a temporary guardianship.

4 Sec. 12. NEW SECTION. 232D.302 Notice.

5 1. The filing of a petition shall be served upon the
6 minor who is the subject of the petition in the manner of an
7 original notice in accordance with the rules of civil procedure
8 governing such notice. Notice to the attorney representing the
9 minor, if any, is notice to the minor.

10 2. Notice shall be served upon the minor's known parents
11 listed in the petition in accordance with the rules of civil
12 procedure.

13 3. Notice shall be served upon other known persons listed in
14 the petition in the manner prescribed by the court, which may
15 be notice by mail. Failure of such persons to receive actual
16 notice does not constitute a jurisdictional defect precluding
17 the appointment of a guardian by the court.

18 4. Notice of the filing of a petition given to a person
19 under subsection 2 or 3 shall include a statement that the
20 person may register to receive notice of the hearing on
21 the petition and other proceedings and the manner of such
22 registration.

23 Sec. 13. NEW SECTION. **232D.303 Attorney for minor.**

24 1. Upon the filing of a petition for appointment of a
25 guardian pursuant to section 232D.301, the court shall appoint
26 an attorney for the minor, if the court determines that the
27 interests of the minor are or may be inadequately represented.

28 2. An attorney representing the minor shall advocate
29 for the wishes of the minor to the extent that those wishes
30 are reasonably ascertainable and advocate for best interest
31 of the minor if the wishes of the minor are not reasonably
32 ascertainable.

33 Sec. 14. NEW SECTION. **232D.304 Attorney for parent.**

34 Upon the filing of a petition for appointment of a guardian,
35 the court shall appoint an attorney for the parent identified

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1 in the petition if all of the following are true:

2 1. The parent objects to the appointment of a guardian for
3 the minor.

4 2. The parent requests appointment of an attorney and
5 the court determines that the parent is unable to pay for an
6 attorney in accordance with section 232D.505.

7 Sec. 15. NEW SECTION. **232D.305 Court visitor.**

8 1. The court may appoint a court visitor for the minor.

9 2. The same person shall not serve both as the attorney
10 representing the minor and as court visitor.

11 3. Unless otherwise enlarged or circumscribed by the court,
12 the duties of a court visitor with respect to the minor shall
13 include all of the following:

14 a. Conducting, if the minor's age is appropriate, an initial
15 in-person interview with the minor.

16 b. Explaining to the minor, if the minor's age is
17 appropriate, the substance of the petition, the purpose and
18 effect of the guardianship proceeding, the rights of the
19 minor at the hearing, and the general powers and duties of a
20 guardian.

21 c. Determining, if the minor's age is appropriate, the views
22 of the minor regarding the proposed guardian, the proposed
23 guardian's powers and duties, and the scope and duration of the
24 proposed guardianship.

25 d. Interviewing the parent or parents and any other person
26 with legal responsibility for the custody, care, or both, of

27 the minor.

28 e. Interviewing the petitioner, and if the petitioner is not
29 the proposed guardian, interviewing the proposed guardian.

30 f. Visiting, to the extent feasible, the residence where it
31 is reasonably believed that the minor will live if the guardian
32 is appointed.

33 g. Making any other investigation the court directs,
34 including but not limited to interviewing any persons providing
35 medical, mental health, educational, social, or other services

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1 to the minor.

2 4. The court visitor shall submit a written report to the
3 court that contains all of the following:

4 a. A recommendation regarding the appropriateness of a
5 guardianship for the minor.

6 b. A statement of the qualifications of the guardian
7 together with a statement of whether the minor has expressed
8 agreement with the appointment of the proposed guardian.

9 c. Any other matters the court visitor deems relevant to the
10 petition for guardianship and the best interests of the minor.

11 d. Any other matters the court directs.

12 5. The report of the court visitor shall be made part of the
13 court record unless otherwise ordered by the court.

14 Sec. 16. NEW SECTION. 232D.306 Hearing on petition.

15 1. The court shall fix the time and place of hearing on
16 the petition and shall prescribe a time not less than twenty
17 days after the date the notice is served unless the court finds
18 there is good cause shown to shorten the time period. The
19 court shall also prescribe the manner of service of the notice
20 of such hearing.

21 2. The minor who is the subject of a petition filed pursuant
22 to section 232D.301 shall be entitled to attend the hearing on
23 the petition if the minor is of an age appropriate to attend
24 the hearing. A presumption shall exist that a minor fourteen
25 years of age or older is of an age appropriate to attend the
26 hearing.

27 3. The court shall not exclude a minor entitled to
28 attend the hearing under subsection 2 unless the court finds
29 that there is good cause shown for excluding the minor from
30 attendance.

31 Sec. 17. NEW SECTION. 232D.307 Background checks of
32 proposed guardians.

33 1. The court shall request criminal record checks and checks
34 of the child abuse, dependent adult abuse, and sex offender
35 registries in this state for all proposed guardians other than

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1 financial institutions with Iowa trust powers unless a proposed
2 guardian has undergone the required background checks in this

3 section within the twelve months prior to the filing of a
4 petition.

5 2. The court shall review the results of background checks
6 in determining the suitability of a proposed guardian for
7 appointment.

8 3. The judicial branch in conjunction with the department
9 of public safety, the department of human services, and the
10 state chief information officer shall establish procedures for
11 electronic access to the single contact repository necessary to
12 conduct background checks requested under subsection 1.

13 4. The person who files a petition for appointment of
14 guardian for a minor shall be responsible for paying the fee
15 for the background check conducted through the single contact
16 repository unless the court waives the fee for good cause
17 shown.

18 Sec. 18. NEW SECTION. 232D.308 Selection of guardian —
19 **qualifications and preferences.**

20 1. The court shall appoint as guardian a qualified and
21 suitable person who is willing to serve subject to the
22 preferences as to the appointment of a guardian set forth in
23 subsections 2 and 3.

24 2. In appointing a guardian for a minor, the court shall
25 give preference to a person, if qualified and suitable,
26 nominated as guardian for a minor by a will that was executed
27 by the parent or parents having legal custody of the minor
28 at the time of the parent's or parents' death, and that was
29 admitted to probate under chapter 633.

30 3. In appointing a guardian for a minor, the court shall
31 give preference, if qualified and suitable, to a person
32 requested by a minor fourteen years of age or older.

33 Sec. 19. NEW SECTION. 232D.309 Emergency appointment of
34 **temporary guardian.**

35 1. A person authorized to file a petition under section

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1 232D.301 may file a petition for the emergency appointment of a
2 temporary guardian for the minor.

3 2. The petition shall state all of the following:

4 a. The name and address of the minor and the birthdate of
5 the minor.

6 b. The name and address of the living parents of the minor,
7 if known.

8 c. The name and address of any other person legally
9 responsible for the custody or care of the minor, if known.

10 d. The reason the emergency appointment of a temporary
11 guardian is sought.

12 3. The court may enter an ex parte order appointing a
13 temporary guardian for a minor on an emergency basis under this
14 section if the court finds that all of the following are met:

15 a. There is not sufficient time to file a petition and hold
16 a hearing pursuant to section 232D.301.

17 b. The appointment of temporary guardian is necessary to
18 avoid immediate or irreparable harm to the minor.

19 4. Notice of the emergency appointment of a temporary
20 guardian shall be provided to persons required to be listed in
21 the petition under subsection 2.

22 5. The parents of the minor and any other person legally
23 responsible for the custody or care of the minor may file a
24 written request for a hearing. Such hearing shall be held no
25 later than seven days after the filing of the written request.

26 6. The powers of the temporary guardian set forth in the ex
27 parte order shall be limited to those necessary to address the
28 emergency situation requiring the appointment of a temporary
29 guardian.

30 7. The ex parte order shall terminate within thirty days
31 after the order is issued.

32 Sec. 20. NEW SECTION. **232D.310 Appointment of a guardian**
33 **for a minor on a standby basis.**

34 1. An adult person having physical and legal custody of
35 a minor may execute a verified petition for the appointment

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1 of a guardian of the minor upon the express condition that
2 the petition shall be acted upon by the court only upon
3 the occurrence of an event specified or the existence of a
4 described condition of the mental or physical health of the
5 petitioner, the occurrence of which event, or the existence of
6 which condition, shall be established in the manner directed
7 in the petition. The petition, in addition to containing
8 the information required in section 232D.301, shall include
9 a statement that the petitioner understands the result of a
10 guardian being appointed for the minor. An appointment of a
11 guardian for a minor shall only be effective until the minor
12 attains full age.

13 2. A standby petition may nominate a person for appointment
14 to serve as guardian as well as alternate guardians if the
15 nominated person is unable or unwilling or is removed as
16 guardian. The court in appointing the guardian shall appoint
17 the person or persons nominated by the petitioner unless the
18 person or persons are not qualified or for other good cause and
19 shall give due regard to other requests and recommendations
20 contained in the petition.

21 3. A standby petition may be deposited with the clerk of the
22 county in which the minor resides or with any person nominated
23 by the petitioner to serve as guardian.

24 4. A standby petition may be revoked by the petitioner
25 at any time before appointment of a guardian by the court,
26 provided that the petitioner is of sound mind at the time
27 of revocation. Revocation shall be accomplished by the
28 destruction of the petition by the petitioner, or by the
29 execution of an acknowledged instrument of revocation. If the
30 petition has been deposited with the clerk, the revocation may

31 likewise be deposited there.

32 5. If the standby petition has been deposited with the
33 clerk under the provisions of subsection 3 and has not been
34 revoked under the provisions of subsection 4, the petition may
35 be filed with the court upon the filing of a verified statement

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1 to the effect that the occurrence of the event or the condition
2 provided for in the petition has occurred. If the petition
3 has not been deposited with the clerk under the provisions of
4 subsection 3 and has not been revoked under the provisions
5 of subsection 4, then the petition shall be filed with the
6 court at the time a verified statement that the occurrence
7 of the event or the condition provided for in the petition
8 has occurred is filed with the court in the county where the
9 minor then resides. Upon filing of the petition and verified
10 statement, the person filing the verified statement shall
11 become the petitioner and the proceedings shall be thereafter
12 conducted as provided for in this chapter.

13 6. A standby petition for the appointment of a guardian for
14 a minor shall not supersede any contradictory provision in a
15 will admitted to probate of a parent, guardian, or custodian
16 having physical and legal custody of a minor in the event of
17 the parent's, guardian's, or custodian's death.

18 Sec. 21. NEW SECTION. 232D.311 Appointment of guardian for
19 minor approaching majority on a standby basis.

20 Notwithstanding section 232D.103, any adult with an interest
21 in the welfare of a minor who is at least seventeen years and
22 six months of age may file a verified petition pursuant to
23 section 633.552 to initiate a proceeding to appoint a guardian
24 of the minor to take effect on the minor's eighteenth birthday.

25 Sec. 22. NEW SECTION. 232D.401 Order appointing guardian
26 and powers of guardian.

27 1. The order by the court appointing a guardian for a minor
28 shall state the basis for the order.

29 2. The order by the court appointing a guardian for a minor
30 shall state whether the guardianship is a limited guardianship.

31 3. An order by the court appointing a guardian for a minor
32 shall state the powers granted to the guardian. Except as
33 otherwise limited by court order, the court may grant the
34 guardian the following powers, which may be exercised without
35 prior court approval:

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1 a. Taking custody of the minor and establishing the minor's
2 permanent residence if otherwise consistent with the terms of
3 any order of competent jurisdiction relating to the custody,
4 placement, detention, or commitment of the minor within the
5 state.

6 b. Consenting to medical, dental, and other health care

7 treatment and services for the minor.
8 c. Providing or arranging for the provision of education
9 for the minor including but not limited to preschool education,
10 primary education and secondary education, special education
11 and related services, and vocational services.
12 d. Consenting to professional services for the minor to
13 ensure the safety and welfare of the minor.
14 e. Applying for and receiving funds and benefits payable for
15 the support of the minor.
16 f. Any other powers the court may specify.
17 4. The court may grant the guardian the following powers,
18 which shall only be exercised with prior court approval:
19 a. Consenting to the withholding or withdrawal of
20 life-sustaining procedures, as defined in section 144A.2, from
21 the minor, the performance of an abortion on the minor, or the
22 sterilization of the minor.
23 b. Establishing the residence of the minor outside of the
24 state.
25 c. Consenting to the marriage of the minor.
26 d. Consenting to the emancipation of the minor.
27 5. The guardian shall obtain prior court approval for denial
28 of all visitation, communication, or interaction between the
29 minor and the parents of the minor. The court shall approve
30 such denial of visitation, communication, or interaction
31 upon a showing by the guardian that significant physical or
32 emotional harm to the minor has resulted or is likely to result
33 to the minor from parental contact. The guardian may place
34 reasonable time, place, or manner restrictions on visitation,
35 communication, or interaction between the minor and the minor's

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1 parents without prior court approval.
2 Sec. 23. NEW SECTION. **232D.402 Duties and responsibilities**
3 **of guardian.**
4 1. A guardian is a fiduciary and shall act in the
5 best interest of the minor and exercise reasonable care,
6 diligence, and prudence in performing guardianship duties and
7 responsibilities. The fiduciary duties of a guardian for an
8 adult set forth in chapter 633 are applicable to a guardian
9 under this chapter.
10 2. Except as otherwise limited by the court, a guardian
11 has the duty and responsibility to ensure the minor's health,
12 education, safety, welfare, and support.
13 3. A guardian with whom the minor is not living should
14 maintain regular contact with the minor.
15 4. A guardian should make reasonable efforts to facilitate
16 the continuation of the relationship of the minor and the
17 minor's parents subject to section 232D.401, subsection 5.
18 5. A guardian shall file the reports with the court required
19 under section 232D.501.
20 6. A guardian shall promptly inform the court of any change

21 in the permanent residence of the minor and the minor's new
22 address.

23 7. A guardian shall promptly inform the court of any change
24 in the minor's school or school district.

25 Sec. 24. **NEW SECTION. 232D.403 Guardian's acceptance of**
26 **appointment and oath and issuance of letters of appointment.**

27 The court shall issue letters of appointment to a guardian
28 upon the guardian's acceptance of appointment and the
29 guardian's subscription of an oath, or certification under
30 penalties of perjury, that the guardian will faithfully
31 discharge the duties imposed by law, according to the best of
32 the guardian's ability.

33 Sec. 25. **NEW SECTION. 232D.501 Reports of guardian.**

34 1. A guardian appointed by the court under this chapter
shall file the following reports which shall not be waived by

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1 the court:

2 a. A verified initial care plan filed within sixty days of
3 appointment. The information in the initial care plan shall
4 include but not be limited to the following information:

5 (1) The minor's current residence and guardian's plan for
6 the minor's living arrangements.

7 (2) The guardian's plan for payment of the minor's living
8 expenses and other expenses.

9 (3) The minor's health status and the guardian's plan for
10 meeting the minor's health needs.

11 (4) The minor's educational training and vocational needs
12 and the guardian's plan for meeting the minor's educational
13 training and vocational needs.

14 (5) The guardian's plan for facilitating contacts of the
15 minor with the minor's parents.

16 (6) The guardian's plan for contact with and activities on
17 behalf of the minor.

18 b. A verified annual report filed within thirty days of
19 the close of the reporting period. The information in the
20 annual report shall include but not be limited to the following
21 information:

22 (1) The current residence and living arrangements of the
23 minor.

24 (2) The sources of the payment for the minor's living
25 expenses and other expenses.

26 (3) The minor's health status and health services provided
27 the minor.

28 (4) The minor's mental, behavioral, or emotional problems,
29 if any, and professional services provided the minor for such
30 problems.

31 (5) The minor's educational status and educational training
32 and vocational services provided the minor.

33 (6) The nature and extent of parental visits and
34 communication with the minor.

35 (7) The nature and extent of the guardian's visits with and

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1 activities on behalf of the minor.

2 (8) The need for continuation of guardianship.

3 (9) The ability of the guardian to continue as guardian.

4 (10) The need of the guardian for assistance in providing or
5 arranging for the provision of care for the minor.

6 c. A final report filed within thirty days of the
7 termination of the guardianship under section 232D.503.

8 2. The judicial branch shall prescribe the forms for use by
9 the guardian in filing the reports required by this section.

10 3. The clerk of the court shall notify the guardian in
11 writing of the reporting requirements and shall provide
12 information and assistance to the guardian in filing the
13 reports.

14 4. Reports of the guardian shall be reviewed and approved
15 by the court.

16 Sec. 26. NEW SECTION. 232D.502 Removal of guardian —
17 **appointment of successor guardian.**

18 1. The court may remove a guardian for a minor for failure
19 to perform guardianship duties or for other good cause shown.

20 2. The court shall conduct a hearing to determine whether
21 a guardian should be removed on the filing of a petition by
22 a minor under guardianship who is fourteen years of age or
23 older, the parent of a minor, or other person with an interest
24 in welfare of the minor if the court determines that there are
25 reasonable grounds for believing that removal is appropriate
26 based on the allegations stated in the petition.

27 3. The court may conduct a hearing to determine whether
28 the guardian should be removed on the receipt of a written
29 communication from a minor under guardianship who is fourteen
30 years of age or older, the parent of the minor, or other
31 person with an interest in welfare of the minor if the court
32 determines that a hearing would be in the best interest of the
33 minor.

34 4. The court may decline to hold a hearing under subsection
35 2 or 3 if the same or substantially similar facts were alleged

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1 in a petition filed in the preceding six months or in a written
2 communication received in the preceding six months.

3 5. The court may appoint a successor guardian on the
4 removal of a guardian pursuant to subsection 1, the death of a
5 guardian, or the resignation of a guardian.

6 Sec. 27. NEW SECTION. 232D.503 Termination and modification
7 **of guardianships.**

8 1. A guardianship shall terminate on the minor's death,
9 adoption, emancipation, or attainment of majority.

10 2. The court shall terminate a guardianship established

11 pursuant to section 232D.203 if the court finds that the basis
12 for the guardianship set forth in section 232D.203 is not
13 currently satisfied unless the court finds that the termination
14 of the guardianship would be harmful to the minor and the
15 minor's interest in continuation of the guardianship outweighs
16 the interest of a parent of the minor in the termination of the
17 guardianship.

18 3. The court shall terminate a guardianship established
19 pursuant to section 232D.204 if the court finds that the
20 basis for the guardianship set forth in section 232D.204
21 is not currently satisfied. A person seeking termination
22 of guardianship established pursuant to section 232D.204
23 has the burden of making a prima facie showing that the
24 guardianship should be terminated. If such a showing is made,
25 the guardian has the burden of going forward to prove by clear
26 and convincing evidence that the guardianship should not be
27 terminated.

28 4. The court shall modify the powers granted to the guardian
29 if the court finds such powers no longer meet the needs of the
30 minor or are not in the minor's best interest.

31 5. The court may conduct a hearing to determine whether
32 termination or modification of a guardianship is appropriate
33 on the filing of a petition by a minor fourteen years of age or
34 older who is under guardianship, a guardian, or other person
35 with an interest in the welfare of the minor or on receipt of a

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1 written communication from such persons.

2 Sec. 28. NEW SECTION. 232D.504 Rights and immunities of
3 a guardian.

4 1. A guardian is not required to use the guardian's personal
5 funds for the minor's expenses. If a conservator has been
6 appointed for the estate of the minor, the guardian may request
7 and the conservator may approve and pay for the requested
8 reimbursement without prior court approval.

9 2. A guardian may submit a request, together with the
10 guardian's annual report, for approval by the court of
11 reasonable compensation for services as guardian.

12 3. Notwithstanding section 137C.25B or any other provision
13 of law to the contrary, a guardian is not liable to a third
14 person for an act or omission of the minor solely by reason of
15 the guardianship.

16 Sec. 29. NEW SECTION. 232D.505 Expenses.

17 1. Except as otherwise provided by law, the court shall
18 inquire into the ability of the minor or the minor's parent to
19 pay expenses incurred pursuant to the guardianship proceedings
20 established under this chapter. After giving the minor and
21 the parent a reasonable opportunity to be heard, the court
22 may order the minor or the parent to pay all or part of the
23 following:

24 a. Costs of legal expenses of the minor and the parent.

- 25 **b.** Expenses for a court visitor.
- 26 **c.** Filing fees and other court costs, unless the costs are
- 27 waived for good cause shown.
- 28 **2.** If the court finds a minor's parents to be indigent, or
- 29 if the minor has no parent, costs shall be assessed against
- 30 the county in which the proceeding is pending. For purposes
- 31 of assessing costs under this subsection, the court shall find
- 32 a minor's parents to be indigent if the minor's or the parent's
- 33 income and resources do not exceed one hundred fifty percent
- 34 of the federal poverty level, or the minor's parent would be
- 35 unable to pay such costs without prejudicing the parent's

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- 1 ability to provide economic necessities for the parent or the
- 2 parent's dependents.

3 DIVISION II

4 CORRESPONDING CODE CHANGES

- 5 Sec. 30. Section 232.101A, Code 2019, is amended to read as
- 6 follows:

7 **232.101A Transfer of guardianship to custodian.**

- 8 1. After a dispositional hearing the court may ~~enter an~~
- 9 ~~order transferring guardianship of the child to a custodian~~
- 10 ~~close the child in need of assistance case and appoint a~~
- 11 ~~guardian pursuant to sections 232D.308 and 232D.401~~ if all of
- 12 the following conditions are met:

- 13 **a.** The person receiving guardianship meets the definition
- 14 of custodian in section 232.2.
- 15 **b.** The person receiving guardianship has assumed
- 16 responsibility for the child prior to filing of the petition
- 17 under this division and has maintained placement of the child
- 18 since the filing of the petition under this division.
- 19 **c.** The parent of the child does not appear at the
- 20 dispositional hearing, or the parent appears at the
- 21 dispositional hearing, does not object to the transfer of
- 22 guardianship, and agrees to waive the requirement for making
- 23 reasonable efforts as defined in section 232.102.
- 24 **2.** If the court ~~transfers guardianship~~ appoints a guardian
- 25 pursuant to subsection 1, the court may close the child in
- 26 need of assistance case ~~by transferring jurisdiction over the~~
- 27 ~~child's guardianship to the probate court.~~ The court shall
- 28 inform the proposed guardian of the guardian's reporting duties
- 29 under section ~~633.669~~ 232D.501 and other duties under chapter
- 30 ~~633~~ 232D. ~~Upon transferring jurisdiction, the~~ The court shall
- 31 direct the ~~probate clerk of court,~~ once the proposed guardian
- 32 has filed an oath of office and identification ~~in accordance~~
- 33 ~~with section 602.6111,~~ to issue letters of appointment for
- 34 guardianship ~~and docket the case in probate. Records contained~~
- 35 ~~in the probate case file that were copied or transferred from~~

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~~the juvenile court file concerning the case shall be subject to section 232.147 and other confidentiality provisions of this chapter for cases not involving juvenile delinquency.~~

Sec. 31. Section 232.104, subsection 8, paragraph b, Code 2019, is amended to read as follows:

b. In lieu of the procedures specified in paragraph "a", the court may close the child in need of assistance case by transferring jurisdiction over the child's guardianship to the probate court and may appoint a guardian pursuant to chapter 232D. The court shall inform the proposed guardian of the guardian's reporting duties under section 633.669 and other duties under the probate code. Upon transferring jurisdiction, the court shall direct the probate clerk, once the proposed guardian has filed an oath of office and identification in accordance with section 602.6111, to issue letters of appointment for guardianship and docket the case in probate. Records contained in the probate case file that were copied or transferred from the juvenile court file concerning the case shall be subject to section 232.147 and other confidentiality provisions of this chapter for cases not involving juvenile delinquency.

Sec. 32. Section 235A.15, subsection 2, paragraph d, subparagraphs (1) and (2), Code 2019, are amended to read as follows:

(1) To a juvenile court involved in an adjudication or disposition of a child named in a report or a child that is the subject of a guardianship proceeding under chapter 232D.

(2) To a district court upon a finding that data is necessary for the resolution of an issue arising in any phase of a case involving child abuse or guardianship proceedings for a child under chapter 232D.

Sec. 33. Section 235B.6, subsection 2, paragraph d, Code 2019, is amended by adding the following new subparagraphs:

NEW SUBPARAGRAPH. (5) To a juvenile court involved in an adjudication or disposition of a child that is the subject of a

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guardianship proceeding under chapter 232D.

NEW SUBPARAGRAPH. (6) To a district court upon a finding that data is necessary for the resolution of an issue arising in any phase of a case involving proceedings for a child guardianship under chapter 232D.

Sec. 34. Section 602.7101, subsection 1, Code 2019, is amended to read as follows:

1. A juvenile court is established in each county. The juvenile court is within the district court and has the jurisdiction provided in ~~chapter~~ chapters 232 and 232D.

Sec. 35. Section 602.8102, subsection 42, Code 2019, is amended to read as follows:

13 42. Serve as clerk of the juvenile court and carry out
14 duties as provided in ~~chapter~~ chapters 232 and 232D and article
15 7 of this chapter.

16 Sec. 36. Section 633.10, subsection 3, Code 2019, is amended
17 to read as follows:

18 3. *Conservatorships and guardianships.*

19 a. The ~~Except as provided in paragraph "b", the~~
20 appointment of conservators and guardians; the granting
21 of letters of conservatorship and guardianship; the
22 administration, settlement and closing of conservatorships and
23 guardianships.

24 b. Beginning the effective date of this Act, minor
25 guardianships are under the exclusive jurisdiction of the
26 juvenile court pursuant to, and except as limited by, chapter
27 232D.

28 Sec. 37. Section 633.552, subsection 2, Code 2019, is
29 amended to read as follows:

30 2. That the proposed ward is ~~in either of the following~~
31 ~~categories:~~

32 ~~a. Is a person whose decision-making capacity is so~~
33 ~~impaired that the person is unable to care for the person's~~
34 ~~personal safety or to attend to or provide for necessities for~~
35 ~~the person such as food, shelter, clothing, or medical care,~~

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1 without which physical injury or illness might occur.

2 ~~b. Is a minor.~~

3 Sec. 38. Section 633.554, subsection 2, Code 2019, is
4 amended to read as follows:

5 2. a. ~~If the proposed ward is a minor or if the~~
6 proposed ward is an adult under a standby petition and the
7 court determines, pursuant to section 633.561, subsection
8 1, paragraph "b", that the proposed ward is entitled to
9 representation, notice in the manner of original notice, or
10 another form of notice ordered by the court, given to the
11 attorney appointed to represent the ward is notice to the
12 proposed ward.

13 b. Notice shall also be served upon:

14 ~~(1) The parents of the proposed ward, if the proposed ward~~
15 ~~is a minor.~~

16 ~~(2) The~~ the spouse of the proposed ward, if the proposed
17 ward is an adult. If the proposed ward has no spouse, notice
18 shall be served upon the proposed ward's adult children, if
19 any.

20 Sec. 39. Section 633.557, subsection 1, Code 2019, is
21 amended to read as follows:

22 1. A guardian may also be appointed by the court upon the
23 verified petition of the proposed ward, without further notice,
24 ~~if the proposed ward is other than a minor under the age of~~
25 ~~fourteen years,~~ provided the court determines that such an
26 appointment will inure to the best interest of the applicant.

27 However, if an involuntary petition is pending, the court shall
28 be governed by section 633.634. The petition shall provide
29 the proposed ward notice of a guardian's powers as provided in
30 section 633.562.

31 Sec. 40. Section 633.561, subsection 1, paragraph b, Code
32 2019, is amended to read as follows:

33 b. If the proposed ward is ~~either a minor or~~ an adult under
34 a standby petition, the court shall determine whether, under
35 the circumstances of the case, the proposed ward is entitled

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1 to representation. The determination regarding representation
2 may be made with or without notice to the proposed ward, as
3 the court deems necessary. If the court determines that the
4 proposed ward is entitled to representation, the court shall
5 appoint an attorney to represent the proposed ward. After
6 making the determination regarding representation, the court
7 shall set a hearing on the petition, and provide for notice on
8 the determination regarding representation and the date for
9 hearing.

10 Sec. 41. Section 633.635, subsection 5, Code 2019, is
11 amended to read as follows:

12 5. From time to time, upon a proper showing, the court may
13 modify the respective responsibilities of the guardian and
14 the ward, after notice to the ward and an opportunity to be
15 heard. Any modification that would be more restrictive or
16 burdensome for the ward shall be based on clear and convincing
17 evidence that the ward continues to fall within the categories
18 of section 633.552, subsection 2, ~~paragraph "a" or "b"~~, and
19 that the facts justify a modification of the guardianship.
20 Section 633.551 applies to the modification proceedings. Any
21 modification that would be less restrictive for the ward shall
22 be based upon proof in accordance with the requirements of
23 section 633.675.

24 Sec. 42. Section 633.675, subsection 2, Code 2019, is
25 amended by striking the subsection.

26 Sec. 43. Section 633.679, subsection 2, Code 2019, is
27 amended by striking the subsection.

28 Sec. 44. REPEAL. Section 633.559, Code 2019, is repealed.

29 Sec. 45. EFFECTIVE DATE. This Act takes effect January 1,
30 2020.

31 Sec. 46. APPLICABILITY. This Act applies to guardianships
32 and guardianship proceedings of minors established or pending
33 before, on, or after January 1, 2020.>

DAN DAWSON

S-3147

1 Amend House File 311, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 1, by striking lines 3 through 16.

DAN ZUMBACH

S-3148

1 Amend Senate File 563 as follows:

- 2 1. By striking page 4, line 9, through page 6, line 22.
3 2. Title page, lines 1 and 2, by striking <health carriers>
4 and inserting <information related to the>

MARIANNETTE MILLER-MEEKS

S-3149

1 Amend House File 591, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 24, by striking lines 21 and 22.
4 2. By renumbering as necessary.

DAN DAWSON

S-3150

1 Amend House File 610, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. By striking page 2, line 35, through page 3, line 1, and
4 inserting:
5 <NEW SUBSECTION. 1B. *Assistive animal* — means a simian
6 or other animal specially trained or in the process of being
7 trained to assist a person with a disability.>
8 2. Page 35, after line 17 by inserting:
9 <Sec. ____ EFFECTIVE DATE. This Act takes effect January
10 1, 2020.
11 Sec. ____ APPLICABILITY. This Act applies to guardianships
12 and guardianship proceedings for adults and conservatorships
13 and conservatorship proceedings for adults and minors
14 established or pending before, on, or after January 1, 2020.>
15 3. Title page, line 3, after <conservatorships> by
16 inserting <and including effective date and applicability
17 provisions>
18 4. By renumbering as necessary.

DAN DAWSON

S-3151

- 1 Amend Senate File 409 as follows:
- 2 1. Page 5, after line 13 by inserting:
- 3 <Sec. ____ Section 455B.103A, subsection 1, paragraph b,
- 4 Code 2019, is amended to read as follows:
- 5 b. Following the effective date of a general permit, a
- 6 person proposing to conduct activities covered by the general
- 7 permit shall provide a notice of intent to conduct a covered
- 8 activity on a form provided by the department. ~~A person shall~~
- 9 ~~also provide public notice of intent to conduct activities~~
- 10 ~~covered under the general permit by publishing notice in one~~
- 11 ~~newspaper with the largest circulation in the area in which the~~
- 12 ~~facility is located. Notice of intent to conduct activities~~
- 13 ~~covered under the general permit shall also be provided by~~
- 14 ~~the department electronically.~~ Notice of the discontinuation
- 15 of a permitted activity other than storm water and allowable
- 16 nonstorm water discharges shall be provided in the same
- 17 manner.>
- 18 2. By renumbering as necessary.

KEN ROZENBOOM

S-3152

- 1 Amend Senate File 464 as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
- 4 <Section 1. Section 602.1215, subsection 1, Code 2019, is
- 5 amended to read as follows:
- 6 1. Subject to the provisions of section 602.1209,
- 7 subsection 3, the district judges of each judicial election
- 8 district shall by majority vote appoint persons to serve as
- 9 clerks of the district court within the judicial election
- 10 district. The district judges of a judicial election district
- 11 may appoint a person to serve as clerk of the district court
- 12 for more than one ~~but not more than four contiguous counties~~
- 13 ~~county~~ in the same judicial district. To facilitate the
- 14 delivery of court services in every county, the district judges
- 15 of a judicial election district shall appoint a person to serve
- 16 as clerk of the district court in every county in the judicial
- 17 district, which may be the same person designated as clerk in
- 18 one or more other counties. A person does not qualify for
- 19 appointment to the office of clerk of the district court unless
- 20 the person is at the time of application a must be a resident
- 21 of the state within ninety days of appointment. A clerk of
- 22 the district court may be removed from office for cause by the
- 23 chief judge of the judicial district, after consultation with
- 24 the district judges of the judicial election district. Prior

25 to removal, the clerk of the district court shall be notified
 26 of the cause for removal.>

JULIAN B. GARRETT

S-3153

- 1 Amend Senate File 563 as follows:
- 2 1. By striking page 4, line 9, through page 6, line 22.
- 3 2. Title page, lines 1 and 2, by striking <health carriers
- 4 and> and inserting <information related to the>

MARIANNETTE MILLER-MEEKS

S-3154

- 1 Amend Senate File 615 as follows:
- 2 1. Page 20, after line 20 by inserting:
- 3 <Sec. ____ FLOOD MITIGATION FUND. There is appropriated
- 4 from the general fund of the state to the department of
- 5 homeland security and emergency management for the fiscal year
- 6 beginning July 1, 2018, and ending June 30, 2019, the following
- 7 amount, or so much thereof as is necessary, to be deposited in
- 8 the flood mitigation fund created in section 418.10:
- 9 \$ 24,000,000
- 10 Notwithstanding section 8.33, moneys appropriated in this
- 11 section that remain unencumbered or unobligated at the close of
- 12 the fiscal year shall not revert but shall remain available for
- 13 expenditure for the purposes designated until the close of the
- 14 succeeding fiscal year.>
- 15 2. By renumbering as necessary.

ROBERT M. HOGG

S-3155

HOUSE AMENDMENT TO
 SENATE FILE 346

- 1 Amend Senate File 346, as amended, passed, and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 1, after line 23 by inserting:
- 4 <Sec. ____ EDUCATION CAMPAIGN — HEALTH RISKS, PROHIBITION,
- 5 CRIMINAL PENALTIES — FEMALE GENITAL MUTILATION. The crime
- 6 victims assistance division of the office of the attorney
- 7 general, in collaboration with community insiders and
- 8 culturally specific victims services programs, shall initiate
- 9 an education campaign to increase awareness regarding the
- 10 health risks of, the prohibitions against, and the criminal
- 11 penalties associated with female genital mutilation as
- 12 specified in this Act.>
- 13 2. Page 1, after line 23 by inserting:

14 <Sec. ____ EDUCATIONAL PROGRAMMING — FEMALE GENITAL
15 MUTILATION. The university of Iowa hospitals and clinics
16 shall develop educational programming including protocols for
17 physicians to provide safe health care and treatment to women
18 who are victims of female genital mutilation.>
19 3. By renumbering as necessary.

S-3156

1 Amend Senate File 463 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 555B.3, Code 2019, is amended to read
5 as follows:
6 **555B.3 Action for abandonment — jurisdiction.**
7 A real property owner not requesting notification by the
8 sheriff as provided in section 555B.2 may bring an action
9 alleging abandonment in the court within the county where the
10 real property is located ~~provided that there is no lien on~~
11 ~~the mobile home or personal property other than a tax lien~~
12 ~~pursuant to chapter 435.~~ The action shall be tried as an
13 equitable action. Unless commenced as a small claim, the
14 petition shall be presented to a district judge. Upon receipt
15 of the petition, either the court or the clerk of the district
16 court shall set a date for a hearing not later than fourteen
17 days from the date of the receipt of the petition, except when
18 there is a lien on the mobile home or personal property, other
19 than a tax lien, the court or the clerk of the district court
20 shall set a date for a hearing no sooner than twenty-five days
21 from the date of the receipt of the petition so as to allow for
22 service on the lienholder.
23 Sec. 2. Section 555B.4, Code 2019, is amended by adding the
24 following new subsection:
25 **NEW SUBSECTION.** 4. If a lien, other than a tax lien, exists
26 on the mobile home or personal property at the time an action
27 for abandonment is initiated, personal service pursuant to rule
28 of civil procedure 1.305 shall be made upon the lienholder
29 no less than twenty days before the hearing. The notice to
30 the lienholder shall describe the mobile home and shall state
31 the docket, case number, date, time at which the hearing is
32 scheduled, and the lienholder's right to assert a claim to
33 the mobile home at the hearing. The notice shall also state
34 that failure to assert a claim to the mobile home within the
35 judicial proceedings is deemed a waiver of all right, title,

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1 claim, and interest in the mobile home and is deemed consent to
2 the sale or disposal of the mobile home. If personal service
3 upon the lienholder cannot be completed in time to give the
4 lienholder the minimum notice required by this section, the
5 court may set a new hearing date.

6 Sec. 3. Section 555B.8, subsections 2 and 3, Code 2019, are
7 amended to read as follows:

8 2. ~~If Except as otherwise ordered by the court, if the~~
9 mobile home owner or other claimant asserts a claim to the
10 property, the judgment shall be satisfied before the mobile
11 home owner or other claimant may take possession of the mobile
12 home or personal property.

13 3. If no claim is asserted to the mobile home or personal
14 property or if the judgment is not satisfied at the time of
15 entry, an order shall be entered allowing the real property
16 owner to sell or otherwise dispose of the mobile home and
17 personal property pursuant to section 555B.9. ~~If Except as~~
18 ~~otherwise ordered by the court, if~~ a claimant satisfies the
19 judgment at the time of entry, the court shall enter an order
20 permitting and directing the claimant to remove the mobile home
21 or personal property from its location within a reasonable time
22 to be fixed by the court. The court shall also determine the
23 amount of further rent or storage charges to be paid by the
24 claimant to the real property owner at the time of removal.

25 Sec. 4. Section 555B.9, subsections 1, 2, 3, and 4, Code
26 2019, are amended to read as follows:

27 1. Pursuant to an order for disposal under section 555B.8,
28 subsection 3, the real property owner shall dispose of the
29 mobile home and personal property by public or private sale in
30 a commercially reasonable manner. If the personal property,
31 lienholder, owner or other claimant has asserted a claim to
32 the mobile home or personal property within the judicial
33 proceedings, that person shall be notified of the sale by
34 restricted certified mail not less than five days before the
35 sale. The notice is deemed given upon the mailing. The real

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1 property owner may buy at any public sale, and if the mobile
2 home or personal property is of a type customarily sold in
3 a recognized market or is the subject of widely distributed
4 standard price quotations, the real property owner may buy at a
5 private sale.

6 2. A sale pursuant to subsection 1 transfers to the
7 purchaser for value, all of the mobile home owner's rights
8 in the mobile home and personal property, and discharges the
9 real property owner's interest in the mobile home and personal
10 property, ~~and~~ any tax lien, ~~and any other lien~~. The purchaser
11 takes free of all rights and interests even though the real
12 property owner fails to comply with the requirements of this
13 chapter or of any judicial proceedings, if the purchaser acts
14 in good faith.

15 3. The proceeds of the sale of mobile home and personal
16 property shall be distributed as follows:

17 a. First, to satisfy the real property owner's judgment
18 obtained under section 555B.8.

19 b. Second, to satisfy any tax lien for which a claim was

20 asserted pursuant to section 555B.4, subsection 3.
21 c. Third, to satisfy any other lien for which a claim was
22 asserted pursuant to section 555B.4, subsection 4.
23 e. d. Any surplus remaining after the proceeds are
24 distributed shall be held by the real property owner for six
25 months. If the mobile home owner fails to claim the surplus
26 in that time, the surplus may be retained by the real property
27 owner. If a deficiency remains after distribution of the
28 proceeds, the mobile home owner is liable for the amount of the
29 deficiency.
30 4. Notwithstanding subsections 1 through 3, the real
31 property owner may propose to retain the mobile home and
32 personal property in satisfaction of the judgment obtained
33 pursuant to section 555B.8. Written notice of the proposal
34 shall be sent to the mobile home owner, lienholder, or other
35 claimant, if that person has asserted a claim to the mobile

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1 home or personal property in the judicial proceedings. If
2 the real property owner receives objection in writing from
3 the mobile home owner, lienholder, or other claimant within
4 twenty-one days after the notice was sent, the real property
5 owner shall dispose of the mobile home and personal property
6 pursuant to subsection 1. If no written objection is received
7 by the real property owner within twenty-one days after the
8 notice was sent, the mobile home and personal property may be
9 retained. Retention of the mobile home and personal property
10 discharges the judgment of the real property owner, and any tax
11 lien, and any other lien.

12 Sec. 5. Section 562A.9, subsection 4, Code 2019, is amended
13 to read as follows:

14 4. For rental agreements in which the rent does not exceed
15 seven hundred dollars per month, a rental agreement shall not
16 provide for a late fee that exceeds twelve dollars per day or a
17 total amount of sixty dollars per month. For rental agreements
18 in which the rent is greater than seven hundred dollars per
19 month but less than one thousand four hundred dollars per
20 month, a rental agreement shall not provide for a late fee that
21 exceeds twenty dollars per day or a total amount of one hundred
22 dollars per month. For rental agreements in which the rent is
23 at least one thousand four hundred dollars per month, a rental
24 agreement shall not provide for a late fee that exceeds two
25 percent of the rent per day or a total amount of ten percent of
26 the rent per month.

27 Sec. 6. Section 562B.10, subsections 4 and 7, Code 2019, are
28 amended to read as follows:

29 4. For rental agreements in which the rent does not exceed
30 seven hundred dollars per month, a rental agreement shall not
31 provide for a late fee that exceeds twelve dollars per day or a
32 total amount of sixty dollars per month. For rental agreements
33 in which the rent is greater than seven hundred dollars per

34 month but less than one thousand four hundred dollars per
35 month, a rental agreement shall not provide for a late fee that

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1 exceeds twenty dollars per day or a total amount of one hundred
2 dollars per month. For rental agreements in which the rent is
3 at least one thousand four hundred dollars per month, a rental
4 agreement shall not provide for a late fee that exceeds two
5 percent of the rent per day or a total amount of ten percent of
6 the rent per month.

7 7. a. If a tenant who was sole owner of a mobile home dies
8 during the term of a rental agreement then that person's heirs
9 or legal representative or the landlord shall have the right
10 to cancel the tenant's lease by giving sixty days' written
11 notice to the person's heirs or legal representative or to
12 the landlord, whichever is appropriate, and the heirs or the
13 legal representative shall have the same rights, privileges and
14 liabilities of the original tenant.

15 b. (1) If a tenant who was sole owner of a mobile home dies
16 during the term of a rental agreement resulting in the mobile
17 home being abandoned as provided in section 562B.27, subsection
18 1, and the landlord cannot, despite due diligence, locate such
19 tenant's heirs or legal representatives, then the landlord may
20 bring an action for abandonment as provided in section 555B.3,
21 naming as defendants the estate of the tenant and any and all
22 unknown heirs of the tenant and, upon the landlord's filing
23 of an affidavit that personal service cannot be had on any
24 heir, legal representative, or estate of the tenant, the court
25 shall permit original notice of such action to be served by
26 publication pursuant to subparagraph (2) of this paragraph.

27 (2) Publication of the original notice shall be made
28 once each week for three consecutive weeks in a newspaper of
29 general circulation published in the county where the petition
30 is filed, as provided in rules of civil procedure 1.313 and
31 1.314. Service is complete after the third consecutive weekly
32 publication.

33 (3) In the event any tax lien or other lien exists on
34 the mobile home, the landlord may proceed with an action for
35 abandonment as provided in section 555B.3, except that:

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1 (a) Notice shall be provided to the county treasurer as
2 provided in section 555B.4, subsection 3, if a tax lien exists.

3 (b) Personal service pursuant to rule of civil procedure
4 1.305 shall be made upon any lienholder no less than twenty
5 days before the hearing.

6 (4) Any notice to a lienholder shall state that failure
7 to assert a claim to the mobile home is deemed a waiver of
8 all right, title, claim, and interest in the mobile home and
9 is deemed consent to the sale or disposal of the mobile home.

10 If personal service upon the lienholder cannot be completed
11 in time to give the lienholder the minimum notice required by
12 subparagraph (3), the court may set a new hearing date.

13 Sec. 7. Section 648.5, subsection 1, Code 2019, is amended
14 to read as follows:

15 1. An action for forcible entry and detainer shall be
16 brought in a county where all or part of the premises is
17 located. Such an action shall be tried as an equitable action.
18 Upon receipt of the petition, the court shall set a date,
19 time, and place for hearing. The court shall set the date
20 of hearing no later than eight days from the filing date,
21 except that the court shall set a later hearing date no later
22 than fifteen days from the date of filing if the plaintiff
23 requests or consents to the later date of hearing. The
24 requirement regarding the setting of the initial hearing is not
25 a jurisdictional requirement and does not affect the court's
26 subject matter jurisdiction to hear the action for forcible
27 entry and detainer.>

28 2. Title page, by striking lines 1 and 2 and inserting <An
29 Act relating to landlord remedies and procedures relating to
30 failure to timely pay rent, abandonment, and forcible entry and
31 detainer.>

ANNETTE SWEENEY

S-3157

1 Amend House File 638, as passed by the House, as follows:

2 1. Page 1, line 17, by striking <twenty-five> and inserting
3 <sixty>

ANNETTE SWEENEY

S-3158

1 Amend Senate File 414 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY
5 ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES WITHOUT
6 APPLICATION OF FIVE-YEAR WAITING PERIOD.

7 1. The department of human services shall seek a waiver from
8 the centers for Medicare and Medicaid services of the United
9 States department of health and human services to provide
10 coverage under the Medicaid program for pregnant women lawfully
11 admitted for permanent residence in the United States, without
12 application of the five-year waiting period.

13 2. If federal approval is received by the department, the
14 department shall provide Medicaid coverage for pregnant women
15 lawfully admitted for permanent residence in the United States,
16 without application of the five-year waiting period, effective
17 the first day of the month following the department's receipt

18 of federal approval.

19 3. The department of human services may adopt emergency
20 rules to implement this section.>

21 2. Title page, by striking line 2 and inserting <pregnant
22 women lawfully admitted for permanent residence in the United
23 States, without application of the five-year waiting period.>

MARIANNETTE MILLER-MEEKS

S-3159

1 Amend Senate File 615 as follows:

2 1. Page 11, line 13, by striking <25.25> and inserting

3 <27.26>

4 2. Page 15, by striking lines 27 through 31.

5 3. Page 22, line 28, by striking <2019> and inserting <2020>

JULIAN B. GARRETT

S-3160

1 Amend Senate File 599 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

<DIVISION I IOWA HEMP ACT

6 Section 1. NEW SECTION. **204.1 Short title.**

7 This chapter shall be known as the "*Iowa Hemp Act*".

8 Sec. 2. NEW SECTION. **204.2 Definitions.**

9 As used in this chapter, unless the context otherwise
10 requires:

11 1. "*Controlled substance*" means the same as defined in
12 section 124.101.

13 2. "*Conviction*" means a conviction for an indictable
14 offense, in this state or another state, and includes a guilty
15 plea, deferred judgment from the time of entry of the deferred
16 judgment until the time the defendant is discharged by the
17 court without entry of judgment, or other finding of guilt by a
18 court of competent jurisdiction.

19 3. "*Crop site*" or "*site*" means a single contiguous parcel
20 of agricultural land suitable for the planting, growing, or
21 harvesting of hemp, if the parcel does not exceed forty acres.

22 4. "*Department*" means the department of agriculture and land
23 stewardship.

24 5. "*Federal hemp law*" means that part of Tit. X of the
25 Agriculture Improvement Act of 2018, Pub. L. No. 115-334, that
26 authorizes hemp production according to a state plan approved
27 by the United States department of agriculture, as provided in
28 §10113 of that Act, amending the Agricultural Marketing Act
29 of 1946, 7 U.S.C. §1621 et seq., including by adding §§297A
30 through 297E.

31 6. a. "*Hemp*" means the plant *cannabis sativa* L. and

32 any part of that plant, including the seeds thereof, and
33 all derivatives, extracts, cannabinoids, isomers, acids,
34 salts, and salts of isomers, whether growing or not, with a
35 delta-9 tetrahydrocannabinol concentration of not more than

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1 three-tenths of one percent on a dry weight basis.
2 *b. "Hemp"* also means a plant of the genus cannabis other
3 than cannabis sativa L., with a delta-9 tetrahydrocannabinol
4 concentration of not more than three-tenths of one percent
5 on a dry weight basis, but only to the extent allowed by the
6 department in accordance with applicable federal law, including
7 the federal hemp law.
8 7. *"Hemp license"* or *"license"* means a hemp license issued
9 pursuant to section 204.4.
10 8. *a. "Hemp product"* means an item derived from or made
11 by processing hemp or parts of hemp, including but not limited
12 to any item manufactured from hemp, including but not limited
13 to cloth, cordage, fiber, food, fuel, paint, paper, particle
14 board, plastic, hemp seed, seed meal, or seed oil.
15 *b. "Hemp product"* does not include any of the following:
16 (1) An item or part of an item with a maximum delta-9
17 tetrahydrocannabinol concentration that exceeds three-tenths of
18 one percent on a dry weight basis.
19 (2) Hemp seed that is capable of germination.
20 9. *"Licensee"* means a person who obtains a hemp license from
21 the department under this chapter.
22 10. *"Local law enforcement agency"* means an office of county
23 sheriff or a municipal police department.
24 11. *"Negligent violation program"* or *"program"* means the
25 program that may be established by the department to allow
26 a licensee to correct certain violations of this chapter as
27 provided in section 204.14.
28 12. *"Produce"* means to provide for the planting, raising,
29 cultivating, managing, harvesting, and storing a crop.
30 Sec. 3. NEW SECTION. 204.3 State plan — implementing
31 rules.
32 1. The department shall prepare a state plan to be submitted
33 to the United States secretary of agriculture under the federal
34 hemp law.
35 2. Upon approval of the state plan, the department shall

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1 assume primary regulatory authority over the production of hemp
2 in this state as provided in this chapter. However, nothing in
3 this chapter affects the powers and duties of the department of
4 public safety or local law enforcement agencies from enforcing
5 any law within its purview or jurisdiction. The department of
6 public safety shall be the chief criminal enforcement agency
7 under this chapter.

8 3. The department may prepare any number of amended state
9 plans or any number of amendments to an existing state plan to
10 be submitted for approval by the United States secretary of
11 agriculture.

12 4. The department may provide for the receipt, filing,
13 processing, and return of documents described in this chapter
14 in an electronic format, including but not limited to the
15 transmission of documents by the internet. The department
16 shall provide for the authentication of official forms in an
17 electronic format that may include electronic signatures as
18 provided in chapter 554D. An official form in an electronic
19 format shall have the same validity and is discoverable and
20 admissible in evidence if given under penalty of perjury in the
21 same manner as an original printed form. The department shall
22 provide for the issuance of certificates of crop inspection in
23 an electronic format as provided in section 204.8.

24 5. a. The department shall prepare the state plan, any
25 amended state plan, or amendment to an approved state plan, by
26 adopting rules pursuant to chapter 17A.

27 b. The department may adopt the rules on an emergency basis
28 as provided in section 17A.4, subsection 3, and section 17A.5,
29 subsection 2, and the rules shall be effective immediately upon
30 filing unless a later date is specified in the rules.

31 Sec. 4. **NEW SECTION. 204.4 Hemp license — requirements.**

32 1. The department shall establish and administer a process
33 to receive, evaluate, and approve or disapprove applications
34 for a hemp license.

35 2. The department shall prepare and publish one or more hemp

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1 license application forms in cooperation with the department of
2 public safety. A completed application form submitted to the
3 department shall contain all of the following:

4 a. The applicant's full name and residence address.

5 b. A legal description and map of each crop site where the
6 applicant proposes to produce the hemp including its global
7 positioning system location.

8 c. The number of crop acres to be used for hemp production.

9 d. The name of the hemp variety.

10 e. The results of a national criminal history record check
11 of an applicant as may be required by the department. The
12 department shall inform an applicant if a national criminal
13 history record check will be conducted. If a national criminal
14 history record check is conducted, the applicant shall
15 provide the applicant's fingerprints to the department. The
16 department shall provide the fingerprints to the department
17 of public safety for submission through the state criminal
18 history repository to the federal bureau of investigation. The
19 applicant shall pay the actual cost of conducting any national
20 criminal history record check to the department of agriculture
21 and land stewardship. The department shall pay the actual cost

22 of conducting the national criminal history record check to
23 the department of public safety from moneys deposited in the
24 hemp fund pursuant to section 204.6. The department of public
25 safety shall treat such payments as repayment receipts as
26 defined in section 8.2. The results of the national criminal
27 history check shall not be considered a public record under
28 chapter 22.

29 *f.* Any other information required in order to administer and
30 enforce the provisions of this chapter.

31 3. As a condition for issuance of a hemp license, the
32 licensee consents to the department, the department of public
33 safety, or a local law enforcement agency entering upon a crop
34 site as provide in section 204.9.

35 4. The department may do all of the following:

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1 *a.* Require that all or some licenses expire on the same
2 date.

3 *b.* Provide a different application form and requirements
4 relating to the submission, evaluation, and approval or
5 disapproval of an application for a renewed hemp license
6 consistent with federal law.

7 5. An applicant shall not be issued a hemp license unless
8 the applicant agrees to comply with all terms and conditions
9 relating to the regulation of a licensee as provided in this
10 chapter.

11 6. A person may hold any number of licenses at the same
12 time. However, the person shall not hold a legal or equitable
13 interest in a licensed crop site, if the total number of acres
14 of all licensed crop sites in which the person holds all such
15 interests equals more than forty acres.

16 7. An initial hemp license expires one year from the date
17 of issuance and may be issued on a renewal basis annually. The
18 department may require that a licensee apply for an amended or
19 new initial license if information contained in the existing
20 application is no longer accurate or is incomplete.

21 8. The department and the department of public safety shall
22 cooperate to develop procedures for the sharing of information
23 regarding applicants, including information required to be
24 completed on application forms. Upon request, the department
25 or the department of public safety shall provide information
26 regarding an applicant to a department of agriculture or law
27 enforcement agency in another state.

28 9. Information received on an application form shall be
29 maintained by the department for not less than three years.

30 10. The department shall disapprove the application of a
31 person for good cause, which shall include, but is not limited
32 to, any of the following:

33 *a.* A conviction for committing a criminal offense involving
34 a controlled substance as described in section 204.7.

35 *b.* A third violation of a provision of this chapter in

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1 a five-year period. The department shall disapprove any
2 application of a person for a five-year period following the
3 date of the person's last violation in the same manner as
4 provided in section 204.15.

5 c. The revocation of a hemp license under section 204.11,
6 or the revocation of a license, permit, registration, or other
7 authorization to produce hemp in any other state.

8 11. A hemp license shall be suspended or revoked as provided
9 in section 204.11.

10 Sec. 5. **NEW SECTION. 204.5 Hemp fees.**

11 1. The department shall impose, assess, and collect the
12 following hemp fees:

13 a. A license fee which shall be paid by a person being
14 issued a hemp license as provided in section 204.4.

15 b. An inspection fee which shall be paid by a licensee for
16 the inspection of the licensee's crop site, including obtaining
17 samples of plants to conduct a test, as provided in section
18 204.8.

19 2. a. For each hemp license, the license fee shall be
20 imposed on an interim basis until June 30, 2022. The amount of
21 the license fee shall not be more than the following:

22 (1) Five hundred dollars plus five dollars per acre, for
23 each crop site that is five acres or less.

24 (2) Seven hundred and fifty dollars, plus five dollars per
25 acre, for each crop site that is more than five acres but not
26 more than ten acres.

27 (3) One thousand dollars plus five dollars per acre, for
28 each crop site that is more than ten acres.

29 b. For conducting an inspection and official test as
30 provided in section 204.8, the department shall charge an
31 inspection fee on an interim basis until June 30, 2022, as
32 follows:

33 (1) In the case of an annual inspection and official test, a
34 base fee of not more than one thousand dollars. The department
35 may charge a supplemental fee in an amount determined by the

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1 department for conducting an inspection and official test of
2 any additional variety of hemp produced on the same licensed
3 crop site.

4 (2) In the case of any other inspection and official test,
5 conducted at the request of the licensee, the department shall
6 charge a base fee or supplemental fee in the same manner as
7 provided in subparagraph (1).

8 c. This subsection is repealed on July 1, 2022.

9 3. a. The department shall adopt rules to establish hemp
10 fees for the issuance of a hemp license pursuant to section
11 204.4.

12 b. The department shall adopt rules to establish hemp fees

13 for conducting inspections and obtaining samples of plants
14 to conduct tests, including but not limited to an annual
15 inspection and official test, pursuant to section 204.8.
16 c. The department shall calculate the rates, or a range of
17 rates, of the hemp fees to be effective for each successive
18 twelve-month period. The total amount of hemp fees collected
19 by the department pursuant to this subsection shall not be
20 more than the department's estimate of the total amount of
21 revenues necessary to administer and enforce the provisions
22 of this chapter based on the expected revenue collected from
23 the hemp fees and the costs to be incurred by the department
24 in administering and enforcing the provisions of this chapter
25 during that period. The department may adjust the rates within
26 the range throughout the period as the department determines
27 necessary to comply with this paragraph.
28 d. The department may establish different rates for any
29 category of hemp fees based on criteria determined relevant by
30 the department, which may include the number of acres of the
31 licensee's crop site and the type of hemp license issued.
32 e.(1) The rules shall first take effect immediately after
33 the repeal of subsection 2.
34 (2) This paragraph "e" is repealed immediately after the
35 rules described in subparagraph (1) take effect.

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1 4. The license fee and any annual inspection fee shall
2 be collected by the department at the time the hemp license
3 application is submitted.
4 5. Any hemp fee collected by the department under this
5 section shall be deposited in the hemp fund established
6 pursuant to section 204.6.
7 6. The department may refund all or any part of a hemp fee
8 collected under this section to an applicant.
9 Sec. 6. **NEW SECTION. 204.6 Hemp fund.**
10 1. A hemp fund is established in the state treasury under
11 the management and control of the department.
12 2. The hemp fund shall include moneys collected by the
13 department from hemp fees imposed and assessed under section
14 204.5 and moneys appropriated by the general assembly for
15 deposit in the hemp fund. The hemp fund may include other
16 moneys available to and obtained or accepted by the department,
17 including moneys from public or private sources.
18 3. Moneys in the hemp fund are appropriated to the
19 department and shall be used exclusively to carry out the
20 responsibilities conferred upon the department under this
21 chapter as determined and directed by the department, and
22 shall not require further special authorization by the general
23 assembly.
24 4. a. Notwithstanding section 12C.7, interest or earnings
25 on moneys in the hemp fund shall be credited to the hemp fund.
26 b. Notwithstanding section 8.33, moneys credited to the

27 hemp fund that remain unexpended or unobligated at the end of a
28 fiscal year shall not revert to any other fund.

29 Sec. 7. NEW SECTION. 204.7 Regulations — exemption for
30 **certain criminal offenses.**

31 1. The Iowa crop improvement association recognized in
32 chapter 177 shall adopt procedures to certify hemp seed capable
33 of germination. Hemp seed certified under this subsection
34 shall be presumed to comply with the requirements for hemp
35 produced under this chapter.

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1 2. A person who materially falsifies any information
2 contained in an application under section 204.4 shall be
3 ineligible to produce hemp under this chapter.

4 3. a. A licensee convicted of an offense punishable
5 as a felony, for producing, possessing, using, harvesting,
6 handling, manufacturing, marketing, transporting, delivering,
7 or distributing a controlled substance before, on, or after
8 the implementation date of this chapter shall be ineligible to
9 produce hemp under this chapter for a ten-year period following
10 the date of conviction.

11 b. A licensee convicted in another state of an offense,
12 punishable in that state as a felony, substantially
13 corresponding to an offense described in paragraph “a”, before,
14 on, or after the implementation date of this chapter, shall be
15 ineligible to produce hemp under this chapter for a ten-year
16 period following the date of conviction. The department shall
17 recognize the statute of another state which defines such
18 offense substantially equivalent to an offense described in
19 paragraph “a” as a corresponding statute.

20 4. The department shall adopt rules regulating the
21 production of hemp, including but not limited to inspection
22 and testing requirements under section 204.8 or 204.9, and the
23 issuance of a certificate of crop inspection under section
24 204.8. The department shall adopt rules as necessary to
25 administer the negligent violation program. The department may
26 adopt other rules as necessary or desirable to administer and
27 enforce the provisions of this chapter relating to hemp or hemp
28 products.

29 5. A licensee is not subject to a criminal offense
30 under chapter 124 or 453B for producing, possessing, using,
31 harvesting, handling, manufacturing, marketing, transporting,
32 delivering, or distributing hemp, if all of the following
33 apply:

34 a. The hemp is hemp seed delivered to the licensee for
35 planting at the licensee’s crop site, or the hemp is or was

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1 produced at the licensee’s crop site.

2 b. The department, the department of public safety, or

3 a local law enforcement agency is allowed to access the
4 licensee's crop site as part of an inspection as provided in
5 sections 204.8 and 204.9, including by obtaining a sample of
6 plants to conduct a test pursuant to section 204.8.

7 c. The department has issued a certificate of crop
8 inspection to the licensee covering the harvested hemp as
9 provided in section 204.8.

10 6. A person other than a licensee is not subject to a
11 criminal offense under chapter 124 or 453B for producing,
12 possessing, using, harvesting, handling, manufacturing,
13 marketing, transporting, delivering, or distributing hemp,
14 while on the licensee's crop site, if all of the following
15 applies:

16 a. The hemp is produced at the licensee's crop site.

17 b. The person is authorized to be on the licensee's crop
18 site by the licensee.

19 7. A person other than a licensee is not subject to a
20 criminal offense under chapter 124 or 453B for possessing,
21 handling, using, manufacturing, marketing, transporting,
22 delivering, or distributing hemp produced in this state, if all
23 of the following applies:

24 a. The hemp is hemp seed delivered to the licensee for
25 planting at the licensee's crop site, or the hemp was produced
26 at a licensee's crop site.

27 b. If the hemp has been harvested, the person holds a
28 certificate of crop inspection covering the harvested hemp as
29 provided in section 204.8.

30 c. The person is acting in compliance with the federal hemp
31 law and other applicable federal law.

32 8. A person is not subject to a criminal offense under
33 chapter 124 or 453B for possessing, using, harvesting,
34 handling, manufacturing, marketing, transporting, delivering,
35 or distributing hemp produced in another state in compliance

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1 with the federal hemp law and other applicable federal law.

2 9. a. A person may engage in the retail sale of a hemp
3 product if the hemp was produced in this state or another state
4 in compliance with the federal hemp law or other applicable
5 federal law. A person may engage in the retail sale of a hemp
6 product if the hemp was produced in another jurisdiction in
7 compliance with applicable federal law and the laws of the
8 other jurisdiction, if such law is substantially the same as
9 applicable federal law.

10 b. To the extent consistent with applicable federal law,
11 a derivative of hemp, including hemp-derived cannabidiol, may
12 be added to cosmetics, personal care products, and products
13 intended for human or animal consumption. The addition of such
14 a derivative shall not be considered an adulteration of the
15 product, unless otherwise provided in applicable federal law.

16 c. A person may transport a hemp product within and through

17 this state and may export a hemp product to any foreign nation,
18 in accordance with applicable federal law and the law of the
19 foreign nation.

20 *d.* A hemp product complying with this subsection is not a
21 controlled substance under chapter 124 or 453B.

22 Sec. 8. NEW SECTION. **204.8 Inspections and tests —**
23 **certificate of crop inspection.**

24 1. *a.* The department shall conduct an annual inspection
25 of a licensee's crop site to determine if the crop produced
26 at the site qualifies as hemp under this section. The annual
27 inspection shall include obtaining a sample of plants that
28 are part of the crop and providing for an official test of
29 that sample. The inspection shall be conducted as provided in
30 section 204.9.

31 *b.* A licensee shall deliver a notice to the department
32 stating the expected harvest date for the crop produced at the
33 licensee's crop site. The department must receive the notice
34 at least thirty days prior to the expected harvest date. The
35 department shall conduct the annual inspection of the site

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1 within thirty days prior to the actual harvest date.

2 *c.* The department shall provide the department of public
3 safety any official test results that indicate a sample exceeds
4 the maximum concentration of delta-9 tetrahydrocannabinol in
5 excess of two percent on a dry weight basis.

6 *d.* A licensee shall not harvest any portion of a crop
7 produced at the licensee's crop site unless the department has
8 issued the licensee a certificate of crop inspection. The
9 department shall issue a verified copy of the certificate to
10 any other person upon request of the licensee. The certificate
11 shall be published by the department as an official form. To
12 the extent allowed by the federal hemp law, the certificate
13 shall be proof that the harvested crop described on the form
14 qualifies as hemp pursuant to the results of an official test.

15 2. The department may conduct official tests for additional
16 varieties of hemp located on the same licensed crop site. The
17 department may conduct additional inspections and tests upon
18 the request of a licensee.

19 3. The official test shall be a composite test of the plants
20 obtained by the department from a licensee's crop site during
21 the annual inspection and shall be conducted by a laboratory
22 designated by the department. The sample must have a maximum
23 concentration of delta-9 tetrahydrocannabinol that does not
24 exceed three-tenths of one percent on a dry weight basis.

25 4. The department of public safety or a local law
26 enforcement agency may conduct an inspection of a licensee's
27 crop site in order to determine that the licensee is complying
28 with the criminal provisions of this chapter as well as
29 chapters 124 and 453B. The department of public safety or a
30 local law enforcement agency may conduct a test of the plants

31 obtained by that department or local law enforcement agency
32 from the licensee's crop site during the inspection according
33 to procedures adopted by the department of public safety.

34 Sec. 9. NEW SECTION. 204.9 Right of access.

35 1. *a.* The department, including an authorized inspector,

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1 employee, or agent of the department, may enter onto a crop
2 site during reasonable hours to determine whether a licensee is
3 acting in compliance with the requirements under this chapter.
4 The department may also enter into any structure if all of the
5 following apply:

6 (1) The structure is not a dwelling.

7 (2) The structure is located on or in close proximity to the
8 licensee's crop site, and the use of such structure is directly
9 related to the production of hemp, including but not limited to
10 a barn, machine shed, greenhouse, or storage crib.

11 *b.* The department may require the licensee to furnish
12 business records, including books, accounts, records, files,
13 and any other documents in print or electronic media that the
14 department deems relevant to an inquiry conducted under this
15 chapter.

16 *c.* The department may request the department of public
17 safety or a local law enforcement agency accompany the
18 department of agriculture and land stewardship when conducting
19 an inspection.

20 2. *a.* The department of public safety or a local law
21 enforcement agency may conduct an inspection of a licensee's
22 crop site or enter into a structure located on or in close
23 proximity to the crop site and may require a licensee to
24 furnish business records, in the same manner and according to
25 the same limitations as the department of agriculture and land
26 stewardship pursuant to subsection 1.

27 *b.* The department of public safety or a law enforcement
28 agency may obtain a sample of plants that are part of the
29 crop and provide for a test of that sample as provided in
30 section 204.8. The department of public safety or a local law
31 enforcement agency shall not impose, assess, or collect a fee
32 for conducting an inspection or test under this section.

33 4. A person shall not prevent the department, the department
34 of public safety, or a local law enforcement agency from
35 administering and enforcing the provisions of this section by

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1 any means, including but not limited to any act, including
2 a refusal to allow entry, misrepresentation, omission, or
3 concealment of facts.

4 5. A licensee shall not harvest any portion of a crop
5 produced at the licensee's crop site if the department, the
6 department of public safety, or a local law enforcement agency

7 has been prevented from accessing the site under this section.

8 Sec. 10. NEW SECTION. **204.10 Order of disposal.**

9 1. If a crop that is produced at a licensee's crop site does
10 not qualify as hemp according to an official test conducted
11 pursuant to section 204.8, the department, in consultation with
12 the department of public safety, shall order the disposal of
13 the crop by destruction at the site or if necessary require the
14 crop to be removed to another location for destruction.

15 2. The department may request assistance from the
16 department of public safety or a local law enforcement agency
17 as necessary to carry out the provisions of this section. The
18 department upon request shall deliver any sample of the crop
19 to the department of public safety or a local law enforcement
20 agency.

21 3. The licensee shall pay the department for all actual
22 and reasonable costs of the destruction of the crop. If the
23 department assumes any amount of the costs, it may charge that
24 amount to the licensee. If the licensee fails to reimburse any
25 of that amount to the department, the department may report the
26 amount to the county treasurer. The amount shall be placed
27 upon the tax books, and collected with interest and penalties
28 after due, in the same manner as other unpaid property taxes.
29 The county shall reimburse the department within thirty days
30 from the collection of the property taxes.

31 4. To the extent allowed by applicable federal law, the
32 department may provide for the disposal of the mature stalks
33 of the crop confiscated by the department for the licensee's
34 on-farm use and at the licensee's expense.

35 Sec. 11. NEW SECTION. **204.11 Disciplinary action.**

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1 1. The department may suspend or revoke a hemp license
2 obtained under section 204.4 by a person who does any of the
3 following:

4 a. Provides false or misleading information to the
5 department under this chapter, including by submitting a false
6 application.

7 b. Fails to comply with or violates any provision of this
8 chapter, including a rule adopted by the department, the
9 department of public safety, or a condition of an application
10 for the issuance of a hemp license under section 204.4.

11 c. Fails to comply with an order issued by the department
12 under this chapter.

13 2. The department shall revoke a license issued pursuant to
14 section 204.4, if any of the following apply:

15 a. The department would disapprove a new application to that
16 person for good cause as provided in section 204.4, subsection
17 10.

18 b. The person submits a materially false application to
19 participate in the negligent violation program.

20 3. The suspension or revocation of a hemp license is in

21 addition to an order of disposal under section 204.10; the
22 imposition of a civil penalty under section 204.12, subject
23 to the provisions of section 204.15; or the imposition of any
24 other civil or criminal penalty authorized under state law.
25 Sec. 12. NEW SECTION. **204.12 Civil penalties.**
26 1. A person who violates a provision of this chapter is
27 subject to a civil penalty of not less than five hundred
28 dollars and not more than two thousand five hundred dollars.
29 The department shall impose, assess, and collect the civil
30 penalty. Each day that a continuing violation occurs may be
31 considered a separate offense.
32 2. Notwithstanding subsection 1, a civil penalty shall not
33 be imposed, assessed, or collected against a licensee who is
34 participating in or has successfully completed the negligent
35 violation program pursuant to section 204.15.

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1 3. All civil penalties collected under this section shall be
2 deposited into the general fund of the state.
3 Sec. 13. NEW SECTION. **204.13 Injunctive relief.**
4 The department, or the attorney general acting on behalf of
5 the department, may apply to the district court for injunctive
6 relief in order to restrain a person from acting in violation
7 of this chapter. In order to obtain injunctive relief, the
8 department, or attorney general, shall not be required to post
9 a bond or prove the absence of an adequate remedy at law unless
10 the court for good cause otherwise orders. The court may order
11 any form of prohibitory or mandatory relief that is appropriate
12 under principles of equity, including but not limited to
13 issuing a temporary or permanent restraining order.
14 Sec. 14. NEW SECTION. **204.14 Criminal offense — falsified**
15 **certificate of crop inspection.**
16 A person is subject to criminal penalties provided under the
17 applicable provisions in chapter 124 or 453B, if all of the
18 following apply:
19 1. The person commits an offense under one of the applicable
20 provisions of chapter 124 or 453B by possessing, handling,
21 using, manufacturing, marketing, transporting, delivering, or
22 distributing the plant cannabis, regardless of whether the
23 plant was produced in compliance with the provisions of this
24 chapter.
25 2. The person is required to hold a certificate of crop
26 inspection under section 204.8 to possess, handle, use,
27 manufacture, market, transport, deliver, or distribute hemp
28 that has been harvested under this chapter.
29 3. The person knowingly or intentionally does any of the
30 following:
31 a. Falsifies the certificate of crop inspection.
32 b. Acquires the certificate of crop inspection that the
33 person knows has been falsified.

34 Sec. 15. NEW SECTION. **204.15 Negligent violation —**
35 **program.**

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1 1. *a.* The department may find that a licensee has
2 negligently violated a provision of this chapter by doing any
3 of the following:
4 (1) Completing an application for a license without
5 providing a legal description of the crop site pursuant to
6 section 204.4.
7 (2) Failing to renew a hemp license for an existing crop
8 site or obtain a hemp license for a new crop site pursuant to
9 section 204.4.
10 (3) Producing a crop on the licensee's crop site with a
11 maximum concentration of delta-9 tetrahydrocannabinol that
12 exceeds three-tenths of one percent according to the results of
13 an official test of a sample obtained from the licensed crop
14 site pursuant to an inspection conducted under section 204.8.
15 *b.* It is conclusively presumed that a licensee acted
16 with a culpable mental state greater than negligence, if
17 the department obtains a sample of a crop produced on the
18 licensee's crop site and the official test results of the
19 sample conducted pursuant to section 204.8 indicate a maximum
20 concentration of delta-9 tetrahydrocannabinol in excess of two
21 percent on a dry weight basis.
22 *c.* If the department determines a licensee violated this
23 chapter with a culpable mental state greater than negligence,
24 the department shall immediately report the licensee's
25 violation to the department of public safety, the county
26 attorney, and the attorney general, who shall take action as
27 the facts and circumstances warrant. The department shall also
28 report the licensee to the United States attorney general to
29 the extent required by the federal hemp law.
30 2. The department may establish a negligent violation
31 program. The purpose of the program is to allow a
32 participating licensee who has negligently violated a provision
33 of this chapter as described in subsection 1 to comply with a
34 corrective plan established by the department to correct each
35 negligent violation, including by providing for all of the

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1 following:
2 *a.* A reasonable date, established by the department, for the
3 licensee to correct each cause for the violation.
4 *b.* The filing of periodic reports to the department
5 evidencing that the licensee is complying with the requirements
6 of this chapter. The licensee shall submit the reports to the
7 department according to a schedule required by the department.
8 The licensee shall submit a report to the department for
9 at least two years from the date that the licensee first

10 participated in the program.

11 c. Any other requirement established by the department.

12 3. A licensee shall not participate in the negligent
13 violation program, if a test of a sample of plants that
14 are part of a crop produced on the licensee's crop site
15 exceeds a maximum concentration of two percent delta-9
16 tetrahydrocannabinol on a dry weight basis.

17 4. A person who has violated a provision of this chapter
18 three times in a five-year period shall be ineligible to
19 participate in the negligent violation program, or produce
20 hemp, for a period of five years beginning on the date of the
21 third violation.

22 5. The department shall certify that a licensee has
23 successfully completed the negligent violation program. The
24 certification shall be published by the department as an
25 official form. The department shall deliver the certification
26 to the licensee which shall be proof of the licensee's
27 compliance.

28 6. A licensee who is participating in or has successfully
29 completed the negligent violation program shall not be subject
30 to any of the following:

31 a. A civil penalty under section 204.12 for committing a
32 violation of this chapter.

33 b. A criminal offense under chapter 124 or 453B arising
34 out of a negligent violation of this chapter, if the licensee
35 would otherwise be guilty of producing, possessing, using,

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1 harvesting, handling, or distributing the plant cannabis
2 pursuant to the results of a test conducted pursuant to section
3 204.8.

4 Sec. 16. NEW SECTION. **204.16 Waivers or variances.**

5 If the department determines there is a conflict with a
6 regulation or order promulgated by a federal agency and a
7 provision of this chapter, the department may grant a variance
8 or waiver from the provision of this chapter to the extent such
9 variance or waiver is allowed under the federal hemp law and
10 the United States department of agriculture. The waiver or
11 variance shall expire not later than July 1 of the succeeding
12 legislative session.

13 Sec. 17. NEW SECTION. **204.17 Statutory construction.**

14 1. Nothing in this chapter shall be construed or applied to
15 be less stringent than required under the federal hemp law.

16 2. Nothing in this chapter shall be construed or applied to
17 be in conflict with any of the following:

18 a. Applicable federal law and related regulations.

19 b. Other laws of this state, including any administrative
20 rules, relating to product development, product manufacturing,
21 consumer safety, or public health so long as the state law is
22 compatible with applicable federal law.

23 c. Local law relating to product development, product

24 manufacturing, consumer safety, or public health so long as the
25 local law is consistent with federal and state law.

26 3. Except as provided in section 204.7, nothing in this
27 chapter shall be construed or applied to prohibit a person
28 from possessing, handling, using, manufacturing, marketing,
29 transporting, delivering, or distributing a hemp product.

30 4. Nothing in this chapter shall be construed or applied
31 to authorize a person to manufacture, recommend, possess, use,
32 dispense, deliver, transport, or administer medical cannabidiol
33 pursuant to chapter 124E.

34 5. Nothing in this chapter shall be construed or applied to
35 infringe upon the ability of the department of public safety

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1 or a local law enforcement agency to obtain a search warrant
2 issued by a court, or enter onto any premises in a manner
3 consistent with the laws of this state and the United States,
4 including Article I, section 8, of the Constitution of the
5 State of Iowa, or the fourth amendment to the Constitution of
6 the United States.

7 6. Nothing in this chapter shall be construed or applied
8 to affect a statute or rule of which applies to hemp or hemp
9 product in the same manner as other articles subject to the
10 same general regulation.

11 Sec. 18. CONTINGENT IMPLEMENTATION.

12 1. Except as provided in subsection 2, the provisions of
13 chapter 204, as enacted in this division of this Act, shall
14 only be implemented, including administered and enforced,
15 by the department of agriculture and land stewardship,
16 the department of public safety, and local law enforcement
17 agencies, beginning on the publication date of the edition of
18 the Iowa administrative bulletin that includes a statement by
19 the secretary of agriculture of the department of agriculture
20 and land stewardship certifying that the United States
21 department of agriculture has approved a state plan as
22 described in section 204.3, as enacted in this division of this
23 Act. The department shall forward a copy of the statement to
24 the Iowa Code editor prior to publication.

25 2. Section 204.3 and this subsection shall be implemented on
26 the effective date of this Act.

27 Sec. 19. EFFECTIVE DATE. This division of this Act, being
28 deemed of immediate importance, takes effect upon enactment.

29 DIVISION II

30 COORDINATING AMENDMENTS

31 Sec. 20. Section 29B.107A, Code 2019, is amended by adding
32 the following new subsection:

33 NEW SUBSECTION. 3. Notwithstanding subsection 2,
34 “*controlled substance*” does not include hemp or a hemp product
35 excluded from schedule I of controlled substances as provided

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1 in section 124.204, subsection 7.

2 Sec. 21. Section 80.9, subsection 7, Code 2019, is amended
3 to read as follows:

4 7. a. The department shall assist persons who are
5 responsible for the care of private and public land in
6 identifying growing marijuana plants when the plants are
7 reported to the department. The department shall also provide
8 education to the persons regarding methods of eradicating the
9 plants.

10 b. Notwithstanding paragraph “a”, the department is not
11 required to provide such assistance if the marijuana plants are
12 hemp produced in accordance with the provisions of chapter 204.

13 c. The department shall adopt rules necessary to carry out
14 this subsection.

15 Sec. 22. Section 124.204, subsection 4, paragraphs m and u,
16 Code 2019, are amended to read as follows:

17 m. Marijuana, except as otherwise provided ~~by rules of the~~
18 ~~board for medicinal purposes in subsection 7.~~

19 u.(1) Tetrahydrocannabinols, except as otherwise
20 provided by rules of the board for medicinal purposes,
21 meaning tetrahydrocannabinols naturally contained in a plant
22 of the genus Cannabis (Cannabis plant) as well as synthetic
23 equivalents of the substances contained in the Cannabis plant,
24 or in the resinous extractives of such plant, and synthetic
25 substances, derivatives, and their isomers with similar
26 chemical structure and pharmacological activity to those
27 substances contained in the plant, such as the following:

28 ~~(1)~~ (a) 1 cis or trans tetrahydrocannabinol, and their
29 optical isomers.

30 ~~(2)~~ (b) 6 cis or trans tetrahydrocannabinol, and their
31 optical isomers.

32 ~~(3)~~ (c) 3,4 cis or trans tetrahydrocannabinol, and their
33 optical isomers. (Since nomenclature of these substances
34 is not internationally standardized, compounds of these
35 structures, regardless of numerical designation of atomic

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1 positions covered.)

2 (2) Subparagraph (1) does not include tetrahydrocannabinol
3 to the extent excluded in subsection 7.

4 Sec. 23. Section 124.204, subsection 7, Code 2019, is
5 amended to read as follows:

6 7. Exclusions. This section does not apply to ~~marijuana,~~
7 any of the following:

8 a. Marijuana, tetrahydrocannabinols, or chemical
9 derivatives of tetrahydrocannabinol, when utilized for
10 medicinal purposes pursuant to rules of the board.

11 b.(1) Hemp as defined in section 204.2 that is or was
12 produced in this state, or was produced in another state, in

13 accordance with the provisions of chapter 204 with a maximum
14 delta-9 tetrahydrocannabinol concentration that does not exceed
15 three-tenths of one percent on a dry weight basis.

16 (2) A hemp product as provided in chapter 204 with a maximum
17 delta-9 tetrahydrocannabinol concentration that does not exceed
18 three-tenths of one percent on a dry weight basis.

19 Sec. 24. Section 124.401, Code 2019, is amended by adding
20 the following new subsection:

21 **NEW SUBSECTION.** 6. Notwithstanding any other provision in
22 this section to the contrary, a person may produce, possess,
23 use, harvest, handle, manufacture, market, transport, deliver,
24 or distribute any of the following:

25 a. Hemp that is hemp seed delivered for planting at a
26 licensed crop site, or hemp that is or was produced at the
27 site, by a person operating under a hemp license issued by the
28 department of agriculture and land stewardship in accordance
29 with the provisions of chapter 204.

30 b. Hemp that was produced in another state in accordance
31 with the federal hemp law and other applicable law.

32 c. A hemp product as provided in chapter 204.

33 Sec. 25. **NEW SECTION.** **124.401H Iowa hemp Act — negligent**
34 **violation program.**

35 Notwithstanding any provision of this chapter to the

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1 contrary, a person shall not be guilty of an offense under
2 this chapter, including under section 124.401 or 124.410,
3 for producing, possessing, using, harvesting, handling,
4 manufacturing, marketing, transporting, delivering, or
5 distributing the plant cannabis, if all of the following apply:

6 1. The person holds a valid hemp license issued by the
7 department of agriculture and land stewardship as provided in
8 chapter 204.

9 2. The plant is or was produced on the licensee's crop site
10 as provided in chapter 204.

11 3. The offense arises out of a test of a sample of plants
12 that are part of a crop produced on the licensee's crop site
13 and the test indicates that the sample does not qualify as hemp
14 under section 204.8 and does not exceed maximum concentration
15 of two percent delta-9 tetrahydrocannabinol on a dry weight
16 basis.

17 4. The licensee is participating in or has successfully
18 completed the negligent violation program that applies to the
19 licensee's crop site described in subsection 3 if such program
20 is established by the department of agriculture and land
21 stewardship pursuant to section 204.15.

22 Sec. 26. Section 124.410, Code 2019, is amended to read as
23 follows:

24 **124.410 Accommodation offense.**

25 **1.** In a prosecution for unlawful delivery or possession
26 with intent to deliver marijuana, if the prosecution proves

27 that the defendant violated the provisions of section 124.401,
28 subsection 1, by proving that the defendant delivered or
29 possessed with intent to deliver one-half ounce or less of
30 marijuana which was not offered for sale, the defendant is
31 guilty of an accommodation offense and rather than being
32 sentenced as if convicted for a violation of section 124.401,
33 subsection 1, paragraph "d", shall be sentenced as if
34 convicted of a violation of section 124.401, subsection 5. An
35 accommodation offense may be proved as an included offense

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1 under a charge of delivering or possessing with the intent to
2 deliver marijuana in violation of section 124.401, subsection
3 1. ~~This section~~
4 2. Subsection 1 does not apply to ~~hashish~~, any of the
5 following:
6 a. Hashish, hashish oil, or other derivatives of marijuana
7 as defined in section 124.101, subsection 20.

8 b. Hemp or a hemp product excluded from schedule I
9 of controlled substances as provided in section 124.204,
10 subsection 7.

11 Sec. 27. Section 124.411, subsection 3, Code 2019, is
12 amended to read as follows:

13 3. This section does not apply to ~~offenses~~ any of the
14 following:

15 a. An offense under section 124.401, subsection 5.

16 b. Hemp or a hemp product excluded from schedule I
17 of controlled substances as provided in section 124.204,
18 subsection 7.

19 Sec. 28. Section 124.506A, subsection 1, Code 2019, is
20 amended to read as follows:

21 1. a. Notwithstanding the provisions of section 124.506, if
22 more than ten pounds of marijuana or more than one pound of any
23 other controlled substance is seized as a result of a violation
24 of this chapter, the law enforcement agency responsible for
25 retaining the seized controlled substance may destroy the
26 seized controlled substance if the law enforcement agency
27 retains at least ten pounds of the marijuana seized or at least
28 one pound of any other controlled substance seized for evidence
29 purposes.

30 b. Paragraph "a" does not apply to hemp or a hemp product
31 excluded from schedule I of controlled substances as provided
32 in section 124.204, subsection 7.

33 Sec. 29. Section 189.1, subsection 1, Code 2019, is amended
34 to read as follows:

35 1. "*Article*" means food, commercial feed, agricultural

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1 seed, commercial fertilizer, drug, pesticide, hemp or a hemp
2 product, and paint, in the sense in which they are defined in

3 the various provisions of this subtitle.

4 Sec. 30. **NEW SECTION. 317.1D Exemption — Iowa hemp Act.**

5 This chapter does not apply to a plant or any part of the
6 plant qualifying as hemp, if the hemp is produced on a crop
7 site regulated under chapter 204.

8 Sec. 31. **NEW SECTION. 453B.17 Exemption — Iowa hemp Act —**
9 **hemp and hemp products.**

10 This chapter does not apply to any of the following:

11 1. Hemp that is hemp seed delivered for planting at a
12 licensed crop site, or hemp that is or was produced at the
13 site, by a person operating under a hemp license issued by the
14 department of agriculture and land stewardship in accordance
15 with the provisions of chapter 204.

16 2. Hemp that was produced in another state in accordance
17 with the federal hemp law and other applicable law.

18 3. A hemp product as provided in chapter 204.

19 Sec. 32. **NEW SECTION. 453B.18 Exemption — Iowa hemp Act**
20 **— negligent violation program.**

21 Notwithstanding any provision of this chapter to the
22 contrary, a person shall not be guilty of an offense under this
23 chapter for producing or possessing the plant cannabis, if all
24 of the following apply:

25 1. The person holds a valid hemp license issued by the
26 department of agriculture and land stewardship as provided in
27 chapter 204.

28 2. The plant is or was produced on the licensee's crop site
29 as provided in chapter 204.

30 3. The offense arises out of a test of a sample of plants
31 that are part of a crop produced on the licensee's crop
32 site and the test indicates that the sample does not qualify
33 as hemp under section 204.8 and it does not exceed maximum
34 concentration of two percent delta-9 tetrahydrocannabinol on a
35 dry weight basis.

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1 4. The licensee is participating in or has successfully
2 completed the negligent violation program that applies to the
3 licensee's crop site described in subsection 3 if such program
4 is established by the department of agriculture and land
5 stewardship pursuant to section 204.15.

6 Sec. 33. **CONTINGENT EFFECTIVE DATE.** The amendments to
7 sections 29B.107A, 80.9, 124.204, 124.401, 124.410, 124.411,
8 124.506A, and 189.1, and new sections 124.401H, 317.1D,
9 453B.17, and 453B.18, as enacted in this division of this
10 Act, shall become effective upon the date of implementation
11 of chapter 204 as described in subsection 1 of the section
12 providing for the contingent implementation of that chapter, as
13 enacted in division I of this Act.>

14 2. By renumbering, redesignating, and correcting internal
15 references as necessary.

TOM SHIPLEY

S-3161

1 Amend Senate File 479 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 225C.2, Code 2019, is amended by adding
5 the following new subsections:

6 NEW SUBSECTION. 1A. “Child” or “children” means a person or
7 persons under eighteen years of age.

8 NEW SUBSECTION. 1B. “Children’s behavioral health
9 services” means services for children with a serious emotional
10 disturbance.

11 NEW SUBSECTION. 1C. “Children’s behavioral health system” or
12 “children’s system” means the behavioral health service system
13 for children implemented pursuant to this subchapter.

14 NEW SUBSECTION. 11. “Serious emotional disturbance” means
15 a diagnosable mental, behavioral, or emotional disorder of
16 sufficient duration to meet diagnostic criteria specified
17 within the most current diagnostic and statistical manual
18 of mental disorders published by the American psychiatric
19 association that results in a functional impairment. “Serious
20 emotional disturbance” does not include substance use and
21 developmental disorders unless such disorders co-occur with
22 such a diagnosable mental, behavioral, or emotional disorder.

23 NEW SUBSECTION. 12. “State board” means the children’s
24 behavioral health system state board created in section
25 225C.51.

26 Sec. 2. Section 225C.2, subsection 9, Code 2019, is amended
27 by striking the subsection.

28 Sec. 3. Section 225C.4, subsection 1, Code 2019, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. 0c. Assist the state board in planning for
31 community-based children’s behavioral health services.

32 Sec. 4. Section 225C.4, subsection 1, paragraphs d and j,
33 Code 2019, are amended to read as follows:

34 d. Encourage and facilitate coordination of mental health
35 and disability services with the objective of developing and

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1 maintaining in the state a mental health and disability service
2 delivery system to provide ~~disability~~ services to all persons
3 in this state who need the services, regardless of the place
4 of residence or economic circumstances of those persons. The
5 administrator shall work with the commission and other state
6 agencies, including but not limited to the departments of
7 corrections, education, and public health and the state board
8 of regents, to develop and implement a strategic plan to expand
9 access to qualified mental health workers across the state.
10 j. Establish and maintain a data collection and management

11 information system oriented to the needs of patients,
12 providers, the department, and other programs or facilities in
13 accordance with section 225C.6A. The system shall be used to
14 identify, collect, and analyze service outcome and performance
15 measures data in order to assess the effects of the services on
16 the persons utilizing the services. The administrator shall
17 annually submit to the commission information collected by the
18 department indicating the changes and trends in the mental
19 health and disability services system. The administrator shall
20 make the outcome data available to the public.

21 Sec. 5. Section 225C.4, subsection 1, Code 2019, is amended
22 by adding the following new paragraphs:

23 NEW PARAGRAPH. *Ok.* Encourage and facilitate coordination
24 of children's behavioral health services with the objective of
25 developing and maintaining in the state a children's behavioral
26 health system to provide behavioral health services to all
27 children in this state who need the services, regardless of the
28 place of residence or economic circumstances of those children.
29 The administrator shall work with the state board and other
30 state agencies including but not limited to the department of
31 education and the department of public health to develop and
32 implement a strategic plan to expand access to qualified mental
33 health workers across the state.

34 NEW PARAGRAPH. *00k.* Establish and maintain a data
35 collection and management information system oriented to the

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1 needs of children utilizing the children's behavioral health
2 system, providers, the department, and other programs or
3 facilities in accordance with section 225C.6A. The system
4 shall be used to identify, collect, and analyze service
5 outcome and performance measures data in order to assess the
6 effects of the services on the children utilizing the services.
7 The administrator shall annually submit to the state board
8 information collected by the department indicating the changes
9 and trends in the children's behavioral health system. The
10 administrator shall make the outcome data available to the
11 public.

12 Sec. 6. Section 225C.4, subsection 1, paragraph u, Code
13 2019, is amended by adding the following new subparagraph:

14 NEW SUBPARAGRAPH. (9) School attendance.

15 Sec. 7. Section 225C.6B, subsection 3, Code 2019, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *c.* Children's behavioral health services
18 provided to eligible children that are not covered under the
19 medical assistance program or other third-party payor are the
20 responsibility of the county-based regional service system.

21 Sec. 8. NEW SECTION. **225C.51 Children's behavioral health**
22 **system state board.**

23 1. A children's behavioral health system state board
24 is created as the state body to provide guidance on the

25 implementation and management of a children's behavioral health
26 system for the provision of services to children with a serious
27 emotional disturbance. The state board's public voting members
28 shall be appointed to four-year staggered terms by the governor
29 and are subject to confirmation by the senate. All other
30 state board voting members shall be appointed to four-year
31 staggered terms and are not subject to confirmation by the
32 senate. State board members shall be appointed on the basis of
33 interest and experience in the fields of children's behavioral
34 health to ensure adequate representation from persons with life
35 experiences and from persons knowledgeable about children's

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1 behavioral health services. The department shall provide
2 support to the state board, and the board may utilize staff
3 support and other assistance provided to the state board by
4 other persons. The state board shall meet at least four times
5 per year. The membership of the state board shall consist of
6 the following persons who, at the time of appointment to the
7 state board, are active members of the indicated groups:
8 *a.* The director of the department or the director's
9 designee.
10 *b.* The director of the department of education or the
11 director's designee.
12 *c.* The director of the department of public health or the
13 director's designee.
14 *d.* The director of workforce development or the director's
15 designee.
16 *e.* One member shall be selected from nominees submitted by
17 the state court administrator.
18 *f.* One member shall be selected from nominees submitted
19 by the early childhood Iowa office in the department of
20 management.
21 *g.* One member shall be a member of the mental health and
22 disability services commission.
23 *h.* One member shall be a board member or an employee of a
24 provider of mental health services to children.
25 *i.* One member shall be a board member or an employee of a
26 provider of child welfare services.
27 *j.* One member shall be an administrator of an area education
28 agency.
29 *k.* One member shall be an educator, counselor, or
30 administrator of a school district.
31 *l.* One member shall be a representative of an established
32 advocacy organization whose mission or purpose it is, in part,
33 to further goals related to children's mental health.
34 *m.* One member shall be a parent or guardian of a child
35 currently utilizing or who has utilized behavioral health

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1 services.

2 n. One member shall be a sheriff.

3 o. One member shall be a pediatrician.

4 p. One member shall be a representative from a health care
5 system.

6 q. One member shall be a chief executive officer of a mental
7 health and disability services region.

8 r. In addition to the voting members, the membership shall
9 include four members of the general assembly with one member
10 designated by each of the following: the majority leader of
11 the senate, the minority leader of the senate, the speaker of
12 the house of representatives, and the minority leader of the
13 house of representatives. A legislative member serves for a
14 term as provided in section 69.16B in a nonvoting, ex officio
15 capacity and is not eligible for per diem and expenses as
16 provided in section 2.10.

17 2. The four-year terms shall begin and end as provided in
18 section 69.19. Vacancies on the state board shall be filled as
19 provided in section 2.32. A member shall not be appointed for
20 more than two consecutive four-year terms.

21 3. The director and the director of the department of
22 education, or their designees, shall serve as co-chairpersons
23 of the state board. Board members shall not be entitled to a
24 per diem as specified in section 7E.6 and shall not be entitled
25 to actual and necessary expenses incurred while engaged in
26 their official duties.

27 Sec. 9. **NEW SECTION. 225C.52 Children's behavioral health**
28 **system state board — duties.**

29 To the extent funding is available, the state board shall
30 perform the following duties:

31 1. Advise the administrator on the administration of the
32 children's behavioral health system.

33 2. Provide consultation services to agencies regarding
34 the development of administrative rules for the children's
35 behavioral health system.

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1 3. Identify behavioral health outcomes and indicators for
2 eligible children with a serious emotional disturbance to
3 promote children living with their own families and in the
4 community.

5 4. Submit a written report on or before December 1 of each
6 year to the governor and the general assembly. At a minimum,
7 the report shall include a summary of all activities undertaken
8 by the state board, a summary of state board activities,
9 and results from identified behavioral health outcomes and
10 indicators for the children's behavioral health system.

11 Sec. 10. Section 331.388, Code 2019, is amended by adding
12 the following new subsections:

13 **NEW SUBSECTION. 01. "Children's behavioral health services"**

14 means the same as defined in section 225C.2.
15 NEW SUBSECTION. 4A. "*Serious emotional disturbance*" means
16 the same as defined in section 225C.2.
17 NEW SUBSECTION. 4B. "*State board*" means the children's
18 system state board created in section 225C.51.
19 Sec. 11. Section 331.390, subsection 2, Code 2019, is
20 amended by striking the subsection and inserting in lieu
21 thereof the following:
22 2. The governing board shall comply with all of the
23 following requirements:
24 a. The voting membership of the governing board shall
25 consist of at least one board of supervisors member from each
26 county comprising the region or their designees.
27 b. The membership of the governing board shall also include
28 one adult person who utilizes mental health and disability
29 services or is an actively involved relative of such an adult
30 person. This member shall be designated by the regional
31 advisory committee formed by the governing board pursuant to
32 paragraph "h".
33 c. The membership of the governing board shall not include
34 employees of the department of human services or an unelected
35 employee of a county.

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1 d. The membership of the governing board shall also consist
2 of one member representing adult service providers in the
3 region. This member shall be designated by the regional
4 advisory committee formed by the governing board pursuant to
5 paragraph "h". The member designated in accordance with this
6 paragraph shall serve in a nonvoting, ex officio capacity.
7 e. The membership of the governing board shall also
8 consist of one member representing children's behavioral
9 health services providers in the region. This member shall be
10 designated by the regional children's advisory committee formed
11 by the governing board pursuant to paragraph "i". The member
12 designated in accordance with this paragraph shall serve in a
13 nonvoting, ex officio capacity.
14 f. The membership of the governing board shall also consist
15 of one member representing the education system in the region.
16 This member shall be designated by the regional children's
17 advisory committee formed by the governing board pursuant to
18 paragraph "i".
19 g. The membership of the governing board shall also
20 consist of one member who is a parent of a child who utilizes
21 children's behavioral health services or actively involved
22 relatives of such children. This member shall be designated
23 by the regional children's advisory committee formed by the
24 governing board pursuant to paragraph "i".
25 h. The governing board shall have a regional advisory
26 committee consisting of adults who utilize services or actively
27 involved relatives of such adults, service providers, and
28 regional governing board members.

29 *i.* The governing board shall have a regional children's
30 advisory committee consisting of parents of children who
31 utilize services or actively involved relatives of such
32 children, a member of the education system, an early childhood
33 advocate, a child welfare advocate, a children's behavioral
34 health service provider, a member of the juvenile court, a
35 pediatrician, a child care provider, a local law enforcement

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1 representative, and regional governing board members.
2 Sec. 12. Section 331.390, subsection 3, paragraph b, Code
3 2019, is amended to read as follows:
4 *b.* The regional administrator staff shall include one or
5 more coordinators of mental health and disability services
6 and one or more coordinators of children's behavioral
7 health services. A coordinator shall possess a bachelor's
8 or higher level degree in a human services-related or
9 administration-related field, including but not limited
10 to social work, psychology, nursing, or public or business
11 administration, from an accredited college or university.
12 However, in lieu of a degree in public or business
13 administration, a coordinator may provide documentation of
14 relevant management experience. An action of a coordinator
15 involving a clinical decision shall be made in conjunction with
16 a professional who is trained in the delivery of the mental
17 health or disability service or children's behavioral health
18 service addressed by the clinical decision. The regional
19 administrator shall determine whether referral to a coordinator
20 of mental health and disability services or children's
21 behavioral health services is required for a person or child
22 seeking to access a service through a local access point of the
23 regional service system or the children's behavioral health
24 system.

25 Sec. 13. Section 331.393, subsection 2, Code 2019, is
26 amended by adding the following new paragraphs:
27 NEW PARAGRAPH. *i.* The scope of children's behavioral health
28 core services. Each service included shall be described and a
29 projection of need shall be included.
30 NEW PARAGRAPH. *j.* The eligibility requirements for
31 children's behavioral health core services under the children's
32 behavioral health system.
33 Sec. 14. Section 331.393, subsection 4, paragraph g,
34 subparagraph (1), Code 2019, is amended to read as follows:
35 (1) Performance and outcome measures relating to the

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1 health, safety, education, work performance, and community
2 residency of the persons receiving the services.
3 Sec. 15. Section 331.396, subsection 1, paragraph b, Code
4 2019, is amended to read as follows:

5 b. The person is at least eighteen years of age and is a
6 resident of this state. ~~However, a person who is seventeen~~
7 ~~years of age, is a resident of this state, and is receiving~~
8 ~~publicly funded children's services may be considered eligible~~
9 ~~for services through the regional service system during the~~
10 ~~three month period preceding the person's eighteenth birthday~~
11 ~~in order to provide a smooth transition from children's to~~
12 ~~adult services.~~

13 Sec. 16. Section 331.396, subsection 1, paragraph d, Code
14 2019, is amended by striking the paragraph.

15 Sec. 17. NEW SECTION. **331.396A Eligibility requirements —**
16 **children's behavioral health services.**

17 A child shall be eligible for behavioral health services
18 under the regional service system if all of the following
19 conditions are met:

20 1. The child is under eighteen years of age and is a
21 resident of this state.

22 2. The child has been diagnosed with a serious emotional
23 disturbance.

24 3. *a.* The child's family has a family income equal to or
25 less than five hundred percent of the federal poverty level as
26 defined by the most recently revised poverty income guidelines
27 published by the United States department of health and human
28 services.

29 *b.* Notwithstanding paragraph "*a*", a child's family whose
30 household income is between one hundred fifty percent but not
31 more than five hundred percent of the federal poverty level
32 shall be eligible for behavioral health services subject to
33 a copayment, a single statewide sliding fee scale, or other
34 cost-sharing requirements approved by the department.

35 Sec. 18. NEW SECTION. **331.397A Children's behavioral health**

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1 **core services.**

2 1. For the purposes of this section, unless the context
3 otherwise requires, "*domain*" means a set of similar behavioral
4 health services that can be provided depending on a child's
5 service needs.

6 2. *a.*(1) A region shall work with children's behavioral
7 health service providers to ensure that services in the
8 required behavioral health core service domains in subsection
9 4 are available to children who are residents of the region,
10 regardless of any potential payment source for the services.

11 (2) Subject to the available appropriations, the director
12 of human services shall ensure the behavioral health core
13 service domains listed in subsection 4 are covered services
14 for the medical assistance program under chapter 249A to the
15 greatest extent allowable under federal regulations. The
16 medical assistance program shall reimburse Medicaid enrolled
17 providers for Medicaid covered services under subsection 4 when
18 the services are medically necessary, the Medicaid enrolled

19 provider submits an appropriate claim for such services, and
20 no other third-party payor is responsible for reimbursement
21 of such services. Within the funds available, the region
22 shall pay for such services for eligible children when payment
23 through the medical assistance program or another third-party
24 payment is not available, unless the child is on a waiting list
25 for such payment or it has been determined that the child does
26 not meet the eligibility criteria for any such service.
27 b. Until funding is designed for other service populations,
28 eligibility for the service domains listed in this section
29 shall be limited to such children who are in need of behavioral
30 health services.
31 3. Pursuant to recommendations made by the state board, the
32 department of human services shall adopt rules to define the
33 services included in the core domains listed in this section.
34 The rules shall provide service definitions, service provider
35 standards, service access standards, and service implementation

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1 dates, and shall provide consistency, to the extent possible,
2 with similar service definitions under the medical assistance
3 program.
4 4. The children's behavioral health core service domains
5 shall include all of the following:
6 a. Treatment designed to ameliorate a child's serious
7 emotional disturbance, including but not limited to all of the
8 following:
9 (1) Prevention, early identification, early intervention,
10 and education.
11 (2) Assessment and evaluation relating to eligibility for
12 services.
13 (3) Medication prescribing and management.
14 (4) Behavioral health outpatient therapy.
15 b. Comprehensive facility and community-based crisis
16 services regardless of a diagnosis of a serious emotional
17 disturbance, including all of the following:
18 (1) Mobile response.
19 (2) Crisis stabilization community-based services.
20 (3) Crisis stabilization residential services.
21 (4) Behavioral health inpatient treatment.
22 5. A region shall ensure that services within the following
23 additional core service domains are available to children not
24 eligible for the medical assistance program under chapter 249A
25 or receiving other third-party payment for the services, when
26 public funds are made available for such services:
27 a. Treatment designed to ameliorate a child's serious
28 emotional disturbance including but not limited to behavioral
29 health school-based therapy.
30 b. Support for community living including but not limited
31 to all of the following:
32 (1) Family support.

- 33 (2) Peer support.
- 34 (3) Therapeutic foster care.
- 35 (4) Respite care.

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- 1 c. Transition services for children to the adult mental
- 2 health system providing an appropriate match with a child's
- 3 abilities based upon informed, person-centered choices made
- 4 from an array of options including but not limited to all of
- 5 the following:
- 6 (1) Day habilitation.
- 7 (2) Job development.
- 8 (3) Supported employment.
- 9 (4) Prevocational services.
- 10 (5) Educational services.
- 11 d. Service coordination including physical health and
- 12 primary care that follow the principles of the system of care
- 13 including but not limited to all of the following:
- 14 (1) Care coordination.
- 15 (2) Health homes.
- 16 Sec. 19. DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF
- 17 PUBLIC HEALTH — CRISIS HOTLINE. The department of human
- 18 services and the department of public health shall provide
- 19 a single, statewide twenty-four-hour crisis hotline that
- 20 incorporates information for families of children with a
- 21 serious emotional disturbance which may be provided through
- 22 expansion of the YourLifeIowa platform.
- 23 Sec. 20. MENTAL HEALTH AND DISABILITY SERVICES REGION
- 24 — CHILDREN'S BEHAVIORAL HEALTH SERVICES IMPLEMENTATION
- 25 PLAN. Each mental health and disability services region shall
- 26 submit to the department of human services an implementation
- 27 plan to implement children's behavioral health services
- 28 described under section 331.397A, as enacted in this Act, no
- 29 later than April 1, 2020.
- 30 Sec. 21. DEPARTMENT OF HUMAN SERVICES — RULES. The
- 31 department of human services shall submit a notice of intended
- 32 action to the administrative rules coordinator and the
- 33 Iowa administrative code editor pursuant to section 17A.4,
- 34 subsection 1, paragraph "a", not later than January 1, 2020,
- 35 for the adoption of rules to implement this Act.

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- 1 Sec. 22. REPEAL. Sections 225C.51, 225C.52, 225C.53, and
- 2 225C.54, Code 2019, are repealed.
- 3 Sec. 23. CODE EDITOR'S DIRECTIVES. The Code editor may
- 4 change the current subchapter title of chapter 225C, subchapter
- 5 VI, to "CHILDREN'S BEHAVIORAL HEALTH SYSTEM".
- 6 The Code editor may change the current subchapter title of

7 chapter 331, part 6, to “MENTAL HEALTH AND DISABILITY SERVICES
8 — REGIONAL SERVICE SYSTEM — CHILDREN’S BEHAVIORAL HEALTH
9 SYSTEM”.>

JEFF EDLER

S-3162

HOUSE AMENDMENT TO
SENATE FILE 267

1 Amend Senate File 267 as follows:
2 1. Page 1, line 4, before <The> by inserting <1.>
3 2. Page 1, after line 13 by inserting:
4 <2. It shall be an affirmative defense to a prosecution
5 for a violation of subsection 1, in addition to any other
6 affirmative defenses for which the defendant might be eligible,
7 that the defendant is a victim of a crime that is a violation
8 of section 710A.2.>

S-3163

HOUSE AMENDMENT TO
SENATE FILE 567

1 Amend Senate File 567, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, by striking lines 3 through 9 and inserting:
4 <NEW PARAGRAPH. e. Grant an exception for a person
5 who would otherwise be denied a license due to a criminal
6 conviction under specified circumstances. When considering
7 such an exception, the board shall consider the following: the
8 nature and seriousness of any offense of which the person was
9 convicted, all circumstances relative to the offense, including
10 mitigating circumstances or social conditions surrounding the
11 commission of the offense, the age of the person at the time
12 the offense was committed, the length of time that has elapsed
13 since the offense was committed, letters of reference, and all
14 other relevant evidence of rehabilitation and present fitness
15 presented. A person holding a license prior to July 1, 2019,
16 shall not be required to obtain an exception to maintain a
17 license.>
18 2. Page 1, by striking lines 12 through 15 and inserting:
19 <NEW SUBSECTION. 3. Conviction of a crime in Iowa that is
20 sexual abuse in violation of 709.4, a sexually violent offense
21 as defined in section 229A.2, the offense of dependent adult
22 abuse in violation of section 235B.20, a forcible felony as
23 defined in section 702.11, or the offense of domestic abuse
24 assault in violation of section 708.2A, shall be grounds for
25 denial, revocation, or suspension of a license. Conviction for
26 any other felony shall not be grounds for denial, revocation,
27 or suspension. A conviction of a crime in violation of
28 federal law or in violation of the law of another state shall

29 be given the same effect as it would if such conviction had
30 been under Iowa law. If federal law or the laws of another
31 state do not provide for offenses or violations denominated
32 or described in precisely the same words as Iowa law, the
33 department shall determine whether those offenses or violations
34 are substantially similar in nature to Iowa law and apply those
35 offenses or violations accordingly.>

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1 3. Page 1, by striking lines 18 through 21 and inserting:
2 <NEW SUBSECTION. 6. Conviction of a crime in Iowa that is
3 sexual abuse in violation of section 709.4, a sexually violent
4 offense as defined in section 229A.2, the offense of dependent
5 adult abuse in violation of section 235B.20, a forcible felony
6 as defined in section 702.11, or the offense of domestic abuse
7 assault in violation of section 708.2A, shall be grounds for
8 denial, revocation, or suspension of a license. Conviction for
9 any other felony shall not be grounds for denial, revocation,
10 or suspension. A conviction of a crime in violation of
11 federal law or in violation of the law of another state shall
12 be given the same effect as it would if such conviction had
13 been under Iowa law. If federal law or the laws of another
14 state do not provide for offenses or violations denominated
15 or described in precisely the same words as Iowa law, the
16 department shall determine whether those offenses or violations
17 are substantially similar in nature to Iowa law and apply those
18 offenses or violations accordingly.>

19 4. Page 1, by striking lines 24 through 27 and inserting:
20 <NEW SUBSECTION. 6. Conviction of a crime in Iowa that is
21 sexual abuse in violation of section 709.4, a sexually violent
22 offense as defined in section 229A.2, the offense of dependent
23 adult abuse in violation of section 235B.20, a forcible felony
24 as defined in section 702.11, or the offense of domestic abuse
25 assault in violation of section 708.2A, shall be grounds for
26 denial, revocation, or suspension of a license. Conviction for
27 any other felony shall not be grounds for denial, revocation,
28 or suspension. A conviction of a crime in violation of
29 federal law or in violation of the law of another state shall
30 be given the same effect as it would if such conviction had
31 been under Iowa law. If federal law or the laws of another
32 state do not provide for offenses or violations denominated
33 or described in precisely the same words as Iowa law, the
34 department shall determine whether those offenses or violations
35 are substantially similar in nature to Iowa law and apply those

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1 offenses or violations accordingly.>

2 5. Page 1, by striking lines 30 through 33 and inserting:
3 <NEW SUBSECTION. 4. Conviction of a crime in Iowa that is
4 sexual abuse in violation of section 709.4, a sexually violent

5 offense as defined in section 229A.2, the offense of dependent
6 adult abuse in violation of section 235B.20, a forcible felony
7 as defined in 702.11, or the offense of domestic abuse assault
8 in violation of section 708.2A, shall be grounds for denial,
9 revocation, or suspension of a license. Conviction for any
10 other felony shall not be grounds for denial, revocation, or
11 suspension. A conviction of a crime in violation of federal
12 law or in violation of the law of another state shall be given
13 the same effect as it would if such conviction had been under
14 Iowa law. If federal law or the laws of another state do not
15 provide for offenses or violations denominated or described
16 in precisely the same words as Iowa law, the department
17 shall determine whether those offenses or violations are
18 substantially similar in nature to Iowa law and apply those
19 offenses or violations accordingly.>

20 6. Page 2, by striking lines 1 through 4 and inserting:
21 <NEW SUBSECTION. 4. Conviction of a crime in Iowa that is
22 sexual abuse in violation of section 709.4, a sexually violent
23 offense as defined in section 229A.2, the offense of dependent
24 adult abuse in violation of section 235B.20, a forcible felony
25 as defined in section 702.11, or the offense of domestic abuse
26 assault in violation of section 708.2A, shall be grounds for
27 denial, revocation, or suspension of a license. Conviction for
28 any other felony shall not be grounds for denial, revocation,
29 or suspension. A conviction of a crime in violation of
30 federal law or in violation of the law of another state shall
31 be given the same effect as it would if such conviction had
32 been under Iowa law. If federal law or the laws of another
33 state do not provide for offenses or violations denominated
34 or described in precisely the same words as Iowa law, the
35 department shall determine whether those offenses or violations

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1 are substantially similar in nature to Iowa law and apply those
2 offenses or violations accordingly.>

3 7. Page 2, by striking lines 7 through 10 and inserting:
4 <NEW SUBSECTION. 7. Conviction of a crime in Iowa that is
5 sexual abuse in violation of section 709.4, a sexually violent
6 offense as defined in section 229A.2, the offense of dependent
7 adult abuse in violation of section 235B.20, a forcible felony
8 as defined in section 702.11, or the offense of domestic abuse
9 assault in violation of section 708.2A, shall be grounds for
10 denial, revocation, or suspension of a license. Conviction for
11 any other felony shall not be grounds for denial, revocation,
12 or suspension. A conviction of a crime in violation of
13 federal law or in violation of the law of another state shall
14 be given the same effect as it would if such conviction had
15 been under Iowa law. If federal law or the laws of another
16 state do not provide for offenses or violations denominated
17 or described in precisely the same words as Iowa law, the
18 department shall determine whether those offenses or violations

19 are substantially similar in nature to Iowa law and apply those
20 offenses or violations accordingly.>
21 8. Page 2, by striking lines 15 through 22 and inserting:
22 <NEW SUBSECTION. 5. The board may grant an exception
23 for a person who would otherwise be denied a license due to
24 a criminal conviction under specified circumstances. When
25 considering such an exception, the board shall consider the
26 following: the nature and seriousness of any offense of
27 which the person was convicted, all circumstances relative
28 to the offense, including mitigating circumstances or social
29 conditions surrounding the commission of the offense, the age
30 of the person at the time the offense was committed, the length
31 of time that has elapsed since the offense was committed,
32 letters of reference, and all other relevant evidence of
33 rehabilitation and present fitness presented. A person holding
34 a license prior to July 1, 2019, shall not be required to
35 obtain an exception to maintain a license.>

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1 9. By striking page 2, line 31, through page 3, line 6, and
2 inserting:
3 <Sec. ____ Section 105.22, subsection 4, Code 2019, is
4 amended by striking the subsection and inserting in lieu
5 thereof the following:
6 4. Conviction of a crime in Iowa that is sexual abuse in
7 violation of section 709.4, a sexually violent offense as
8 defined in section 229A.2, the offense of dependent adult abuse
9 in violation of section 235B.20, a forcible felony as defined
10 in section 702.11, or the offense of domestic abuse assault
11 in violation of section 708.2A, shall be grounds for denial,
12 revocation, or suspension of a license. Conviction for any
13 other felony shall not be grounds for denial, revocation, or
14 suspension. A conviction of a crime in violation of federal
15 law or in violation of the law of another state shall be given
16 the same effect as it would if such conviction had been under
17 Iowa law. If federal law or the laws of another state do not
18 provide for offenses or violations denominated or described
19 in precisely the same words as Iowa law, the department
20 shall determine whether those offenses or violations are
21 substantially similar in nature to Iowa law and apply those
22 offenses or violations accordingly. A copy of the record of
23 conviction or plea of guilty shall be conclusive evidence of
24 such conviction.>
25 10. Page 3, before line 7 by inserting:
26 <Sec. ____ Section 158.3, Code 2019, is amended by adding
27 the following new subsection:
28 NEW SUBSECTION. 3. Notwithstanding the provisions of
29 subsection 1, any person who completes the application
30 form prescribed by the board and who completes a barbering
31 apprenticeship training program registered by the office of
32 apprenticeship of the United States department of labor while

33 committed to the custody of the director of the Iowa department
 34 of corrections shall be allowed to take the examination for a
 35 license to practice barbering.>

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- 1 11. Title page, line 3, by striking <felonies> and inserting
- 2 <crimes>
- 3 12. By renumbering as necessary.

S-3165

1 Amend Senate File 619 as follows:

2 1. By striking everything after the enacting clause and
 3 inserting:

4 <Section 1. Section 523C.1, Code 2019, is amended to read
 5 as follows:

6 **523C.1 Definitions.**

7 As used in this chapter, unless the context otherwise
 8 requires:

9 1. “*Commissioner*” means the commissioner of insurance.

10 ~~2. “*Custodial account*” means an account established by~~
 11 ~~agreement between a licensed service company and a custodian~~
 12 ~~under section 523C.5.~~

13 ~~3. “*Custodial agreement*” means an agreement entered into~~
 14 ~~between a licensed service company and a custodian under~~
 15 ~~section 523C.5.~~

16 ~~4. “*Custodian*” means an institution meeting the requirements~~
 17 ~~established by the commissioner which institution has entered~~
 18 ~~into a custodial agreement or reserve account agreement with a~~
 19 ~~licensed service company.~~

20 ~~5. “*Depository*” means an institution designated by the~~
 21 ~~commissioner as an authorized custodian for purposes of~~
 22 ~~sections 523C.5 and 523C.11.~~

23 ~~6. 2. “*Licensed service company*” means a service company~~
 24 ~~which is licensed by the commissioner pursuant to this chapter.~~

25 ~~3. “*Maintenance agreement*” means a contract of any duration~~
 26 ~~that provides for scheduled maintenance to property.~~

27 ~~4. “*Motor vehicle*” means any self-propelled vehicle subject~~
 28 ~~to registration under chapter 321.~~

29 ~~5. “*Motor vehicle manufacturer*” means any of the following:~~

30 ~~a. A person who manufactures or produces motor vehicles~~
 31 ~~and sells the motor vehicles under the person’s trade name or~~
 32 ~~label.~~

33 ~~b. A person who is a wholly owned subsidiary of any person~~
 34 ~~who manufactures or produces motor vehicles.~~

35 ~~c. A person who holds a one hundred percent ownership~~

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1 ~~interest in another person who manufactures or produces motor~~
 2 ~~vehicles.~~

3 d. A person who does not manufacture or produce motor
4 vehicles, but for which motor vehicles are sold under the
5 person's trade name or label.

6 e. A person who manufactures or produces motor vehicles,
7 but the motor vehicles are sold under the trade name or label
8 of another person.

9 f. A person who does not manufacture or produce motor
10 vehicles, but who licenses the use of the person's trade name
11 or label to another person pursuant to a written contract, who
12 then sells motor vehicles under the trade name or label of the
13 licensor.

14 6. "Motor vehicle service contract" means a contract or
15 agreement sold for separate consideration for a specific
16 duration that undertakes to perform the repair, replacement,
17 or maintenance of a motor vehicle, or indemnification for
18 such repair, replacement, or maintenance, for the operation
19 or structural failure of a motor vehicle due to a defect in
20 materials, workmanship, or normal wear and tear, with or
21 without additional provisions for the incidental payment
22 of indemnity under limited circumstances, including but
23 not limited to motor vehicle towing, rental, emergency road
24 service, and road hazard protection. "Motor vehicle service
25 contract" also includes a contract or agreement sold for
26 separate consideration for a specific duration that provides
27 for any of the following services or products:

28 a. The repair or replacement of motor vehicle tires or
29 wheels that are damaged as a result of contact with road
30 hazards, including but not limited to potholes, rocks, wood
31 debris, metal parts, glass, plastic, curbs, or composite
32 scraps.

33 b. The removal of dents or creases on a motor vehicle
34 under a process that does not use paint or affect the existing
35 paint finish, and without sanding, bonding, or replacing motor

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1 vehicle body panels.

2 c. The repair or replacement of motor vehicle windshields
3 that are damaged as a result of contact with road hazards.

4 d. The replacement of motor vehicle keys or key fobs in the
5 event that such device becomes inoperable, lost, or stolen.

6 e. Any other service or product approved by the
7 commissioner.

8 7. "Premium" means the consideration paid to an insurer for
9 a reimbursement insurance policy.

10 7. 8. "Record" means the same as defined in section 516E.1
11 information stored or preserved in any medium, including in
12 an electronic or paper format. A "record" includes but is
13 not limited to documents, books, publications, accounts,
14 correspondence, memoranda, agreements, computer files, film,
15 microfilm, photographs, and audio or visual tapes.

16 9. "Reimbursement insurance policy" means a contractual

17 liability insurance policy issued to a service company that
 18 either provides reimbursement to a service company under the
 19 terms of insured service contracts issued or sold by the
 20 service company or, in the event of nonperformance by the
 21 service company, pays, on behalf of the service company, all
 22 covered contractual obligations incurred by the service company
 23 under the terms of the insured service contracts issued or sold
 24 by the service company.

25 8. ~~“Reserve account agreement” means an agreement entered~~
 26 ~~into between a licensed service company and a depository under~~
 27 ~~section 523C.11.~~

28 ~~9.~~ 10. “Residential service contract” means a contract or
 29 agreement between a residential customer and a service company
 30 which undertakes, for a predetermined fee and for a specified
 31 any period of time, to service, maintain, repair, or replace,
 32 or indemnify expenses for all or any part of the operational or
 33 structural components, appliances, or electrical, mechanical,
 34 plumbing, heating, cooling, or air-conditioning systems of
 35 residential property containing not more than four dwelling

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1 ~~units in the state which fails due to normal wear or tear or~~
 2 ~~inherent defect. “Residential service contract” also includes~~
 3 ~~a contract which provides for the service, repair, replacement,~~
 4 ~~or maintenance of property for damage resulting from power~~
 5 ~~surges, roof leakage, and accidental damage.~~

6 ~~10.~~ 11. “Service company” means a person who issues and
 7 performs, or arranges to perform, is contractually obligated to
 8 perform services pursuant to a motor vehicle service contract
 9 or residential service contract.

10 12. “Service contract” means a motor vehicle service
 11 contract or residential service contract.

12 13. “Warranty” means a statement made solely by the
 13 manufacturer, importer, or seller of property or services
 14 without consideration, that is not negotiated or separated from
 15 the sale of the product and is incidental to the sale of the
 16 product, and that guarantees indemnity for defective parts,
 17 mechanical or electrical breakdown, and labor or other remedial
 18 measures, such as repair or replacement of the property or
 19 repetition of services.

20 Sec. 2. Section 523C.2, Code 2019, is amended to read as
 21 follows:

22 **523C.2 License required.**

23 1. A person shall not issue ~~a~~, offer for sale, or sell a
 24 motor vehicle service contract or residential service contract
 25 ~~or undertake or arrange to perform services pursuant to a~~
 26 ~~residential service contract in this state unless the person~~
 27 ~~is a corporation or other form of organization approved by the~~
 28 ~~commissioner by rule and is a licensed~~ as a service company
 29 under this chapter.

30 2. The licensure requirements of this chapter shall not

31 apply to any person who provides support services or works
32 under the direction of a licensed service company in connection
33 with the issuance, offer for sale, or sale of a service
34 contract in this state, including but not limited to a person
35 who provides marketing, administrative, or technical support.

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1 Sec. 3. Section 523C.3, Code 2019, is amended to read as
2 follows:
3 **523C.3 Application for license.**
4 1. Application for a license as a service company shall
5 be made to and filed with the commissioner on forms approved
6 by the commissioner and shall include all of the following
7 information:
8 a. The name and principal address of the applicant.
9 b. The state of incorporation of the applicant.
10 c. The name and address of the applicant's registered agent
11 for service of process within Iowa.
12 d. A certificate of good standing for the applicant issued
13 by the secretary of state and dated not more than thirty days
14 prior to the date of the application.
15 e. Evidence of compliance with section 523C.5.
16 f. A copy of each motor vehicle service contract form to be
17 used or issued in this state, if applicable.
18 g. A copy of each residential service contract form to be
19 used or issued in this state, if applicable.
20 2. The application shall be accompanied by all of the
21 following:
22 a. A certificate of good standing for the applicant issued
23 by the secretary of state and dated not more than thirty days
24 prior to the date of the application.
25 b. A surety bond, a copy of the receipt from the treasurer
26 of state that a cash deposit has been made, or a copy of a
27 custodial agreement as provided in section 523C.5.
28 c. A copy of the most recent financial statement, including
29 balance sheets and related statements of income, of the
30 applicant, prepared in accordance with generally accepted
31 accounting principles, audited by a certified public accountant
32 and dated not more than twelve months prior to the date of the
33 application.
34 d. An affidavit of an authorized officer of the service
35 company stating the number of contracts issued by the service

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1 company in the preceding calendar year, and stating that the
2 net worth of the service company satisfies the requirements of
3 section 523C.6.
4 e. ~~d.~~ A license fee in the amount of ~~two~~ five hundred ~~fifty~~
5 dollars.
6 b. If applicable, a fee in the amount of fifty dollars

7 for each motor vehicle service contract form submitted in an
8 application as provided in subsection 1, paragraph “f”.

9 3. If the application contains the required information and
10 is accompanied by the items set forth in subsection 2, ~~and if~~
11 ~~the net worth requirements of section 523C.6 are satisfied, as~~
12 ~~evidenced by the audited financial statements,~~ the commissioner
13 shall issue the license. If the form of application is not
14 properly completed or if the required accompanying documents
15 are not furnished or in proper form, the commissioner shall
16 not issue the license and shall give the applicant written
17 notice of the grounds for not issuing the license. A notice
18 of license denial shall be accompanied by a refund of fifty
19 percent of the fee submitted with the application.

20 4. Fees collected under this section shall be deposited as
21 provided in section ~~505.7~~ 523C.24.

22 Sec. 4. Section 523C.4, Code 2019, is amended to read as
23 follows:

24 **523C.4 License expiration and renewal.**

25 1. Each license issued under this chapter shall ~~expire~~
26 ~~on June 30 next~~ be valid for a period of one year and shall
27 be renewed by August 31 of each year following the date of
28 issuance. ~~If the service company maintains in force the surety~~
29 ~~bond described in section 523C.5 and if its license is not~~
30 ~~subject to or under suspension or revocation under section~~
31 ~~523C.9, its license shall be renewed by the commissioner upon~~
32 ~~receipt by the commissioner on or before the expiration date~~
33 ~~of a renewal application accompanied by the items required by~~
34 ~~section 523C.3, subsection 2, paragraphs “b,” “c,” “d,” and “e,”~~
35 ~~and section 523C.15.~~

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1 2. An application for renewal shall include the information
2 required for an initial license as described in section 523C.3,
3 subsection 1.

4 3. The renewal application shall be accompanied by all of
5 the following:

6 a. A license renewal fee in the amount of five hundred
7 dollars.

8 b. If applicable, a fee in the amount of three percent of
9 the aggregate amount of payments the licensee received for the
10 sale or issuance of residential service contracts in this state
11 during the preceding fiscal year, provided that such fee shall
12 be no less than one hundred dollars and no greater than fifty
13 thousand dollars.

14 c. If applicable, a fee in the amount of fifty dollars
15 for each motor vehicle service contract form submitted in a
16 renewal application as provided in section 523C.3, subsection
17 1, paragraph “f”.

18 d. Information regarding the number of motor vehicle service
19 contracts or residential service contracts issued during the
20 preceding fiscal year, the number canceled or expired during

21 the preceding fiscal year, the number in effect at the end of
22 the preceding fiscal year, and the amount of service contract
23 fees received during the preceding fiscal year.

24 4. If the commissioner denies renewal of the license, the
25 denial shall be in writing setting forth the grounds for denial
26 and shall be accompanied by a refund of fifty percent of the
27 license renewal fee.

28 5. In addition to the annual license renewal requirements
29 as provided in this section, a licensee shall report to the
30 commissioner any material change in information submitted by
31 the licensee in its initial license application which has
32 not been reported to the commissioner, including a change in
33 contact information, a change in ownership, or any other change
34 which substantially affects the licensee's operations in this
35 state.

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1 Sec. 5. Section 523C.5, Code 2019, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **523C.5 Financial responsibility — demonstration**
4 **requirements.**

5 In order to assure the faithful performance of a service
6 company's obligations to its contract holders in this state,
7 a licensed service company shall demonstrate financial
8 responsibility to the commissioner by satisfying one of the
9 following, as evidenced by the service company:

10 1. Insuring all motor vehicle service contracts and
11 residential service contracts offered for sale in this state
12 under a reimbursement insurance policy that complies with
13 section 523C.6.

14 2. Doing both of the following:

15 a. Maintaining a funded reserve account for the service
16 company's obligations under any issued and outstanding service
17 contracts in this state, in an amount no less than forty
18 percent of gross consideration received, less claims paid, for
19 the sale of all service contracts issued and in force in this
20 state. The reserve account shall be subject to examination and
21 review by the commissioner.

22 b. Placing in trust with the commissioner a financial
23 security deposit in an amount no less than five percent of
24 the gross consideration received by the service company,
25 less claims paid, for the sale of all motor vehicle service
26 contracts and residential service contracts issued and in force
27 in this state, but not less than twenty-five thousand dollars,
28 consisting of one of the following:

29 (1) Cash.

30 (2) Securities of the type eligible for deposit by insurers
31 authorized to transact business in this state.

32 (3) Certificates of deposit.

33 (4) A surety bond issued by an authorized surety company.

34 (5) Another form of security as prescribed by the

35 commissioner by rule.

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1 3. Doing both of the following:

2 a. Maintaining, on its own or together with a parent
3 company, a minimum net worth or stockholders' equity of one
4 hundred million dollars or more.

5 b. Upon request from the commissioner, providing either:

6 (1) A copy of the service company's financial statements.

7 (2) If the service company's financial statements are
8 consolidated with those of its parent company, a copy of the
9 parent company's most recent form 10-K or form 20-F filed with
10 the federal securities and exchange commission within the last
11 calendar year, or if the parent company does not file with
12 the federal securities and exchange commission, a copy of the
13 parent company's audited financial statements showing a net
14 worth of at least one hundred million dollars. If the service
15 company's financial statements are consolidated with those of
16 its parent company, the service company shall also provide a
17 copy of a written agreement by the parent company guaranteeing
18 the obligations of the service company under motor vehicle
19 service contracts and residential service contracts issued and
20 outstanding by the service company in this state.

21 Sec. 6. Section 523C.6, Code 2019, is amended by striking
22 the section and inserting in lieu thereof the following:

23 **523C.6 Reimbursement insurance policy requirements — insurer**
24 **qualifications.**

25 1. *Requirements.* A reimbursement insurance policy insuring
26 a motor vehicle service contract or residential service
27 contract issued, sold, or offered for sale in this state shall
28 provide for all of the following:

29 a. The reimbursement insurance policy shall obligate the
30 insurer that issued such policy to reimburse or pay on behalf
31 of the service company any covered sums that the service
32 company is legally obligated to pay according to the terms of
33 the contract or, in the event of nonperformance by the service
34 company, provide the service which the service company is
35 legally obligated to perform according to the terms of the

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1 service contract, which shall be conspicuously stated in the
2 reimbursement insurance policy.

3 b. The reimbursement insurance policy shall entitle a
4 service contract holder to make a claim directly against the
5 insurance policy if the service company fails to pay or provide
6 service on a claim within sixty days after proof of loss is
7 filed with the service company.

8 c. The insurer that issued a reimbursement insurance policy
9 shall be deemed to have received the premiums upon the payment
10 of the total purchase price of the service contract by the

11 service contract holder.

12 2. *Termination.* As applicable, an insurer that issued a
13 reimbursement insurance policy shall not terminate the policy
14 unless a written notice has been received by the commissioner
15 and by each applicable service company. The notice shall
16 fix the date of termination at a date no earlier than ten
17 days after receipt of the notice by the commissioner. The
18 termination of a reimbursement insurance policy shall not
19 reduce the issuer's responsibility for a service contract
20 issued by an insured service company prior to the date of
21 termination.

22 3. *Indemnification or subrogation.* This section does
23 not prevent or limit the right of an insurer that issued a
24 reimbursement insurance policy to seek indemnification from or
25 subrogation against a service company if the insurer pays or
26 is obligated to pay a service contract holder sums that the
27 service company was obligated to pay pursuant to the provisions
28 of a service contract or pursuant to a contractual agreement.

29 4. *Premium tax liability.* Payments for the purchase price
30 of a service contract by a service contract holder shall be
31 exempt from premium tax. However, premiums shall be subject
32 to premium tax.

33 5. *Qualifications of insurer.* An insurer issuing a
34 reimbursement insurance policy under this chapter shall be
35 authorized, registered, or otherwise permitted to transact

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1 business in this state and shall meet one of the following
2 requirements:

3 a. At the time the policy is filed with the commissioner,
4 and continuously thereafter, the insurer maintains surplus
5 as to policyholders and paid-in capital of at least fifteen
6 million dollars and annually files copies of the insurer's
7 financial statements, national association of insurance
8 commissioners annual statement, and actuarial certification, if
9 required and filed in the insurer's state of domicile.

10 b. At the time the policy is filed with the commissioner and
11 continuously thereafter, the insurer does all of the following:

12 (1) Maintains surplus as to policyholders and paid-in
13 capital of less than fifteen million dollars but at least ten
14 million dollars.

15 (2) Demonstrates to the satisfaction of the commissioner
16 that the insurer maintains a ratio of net written premiums,
17 wherever written, to surplus as to policyholders and paid-in
18 capital of not greater than three to one.

19 (3) Files copies annually of the insurer's financial
20 statements, national association of insurance commissioners
21 annual statement, and actuarial certification, if required and
22 filed in the insurer's state of domicile.

23 Sec. 7. Section 523C.7, Code 2019, is amended by striking
24 the section and inserting in lieu thereof the following:

25 **523C.7 Disclosure to service contract holders — contract**
26 **form — required provisions.**

- 27 1. A motor vehicle service contract or residential service
28 contract shall not be issued, sold, or offered for sale in this
29 state unless the service company does all of the following:
30 a. Provides a receipt for the purchase of the service
31 contract to the service contract holder.
32 b. Provides a copy of the service contract to the service
33 contract holder within a reasonable period of time after the
34 date of purchase of the service contract.
35 c. Provides a complete sample copy of the terms and

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1 conditions of the service contract to the service contract
2 holder prior to the date of purchase. A service company may
3 comply with this paragraph by providing the service contract
4 holder with a complete sample copy of the terms or conditions
5 of the service contract, or directing the service contract
6 holder to an internet site containing a complete sample copy of
7 the terms and conditions of the service contract.

8 2. A motor vehicle service contract or residential service
9 contract issued, sold, or offered for sale in this state shall
10 comply with all of the following, as applicable:

11 a. A service contract shall be written in clear,
12 understandable language in at least eight point font.

13 b.(1) A service contract insured by a reimbursement
14 insurance policy as provided in section 523C.5, subsection 1,
15 shall include a statement in substantially the following form:

16 Obligations of the service company under this service
17 contract are guaranteed under a reimbursement insurance policy.
18 If the service company fails to pay or provide service on a
19 claim within sixty days after proof of loss has been filed with
20 the service company, the service contract holder is entitled
21 to make a claim directly against the reimbursement insurance
22 policy.

23 (2) A service contract insured by a reimbursement insurance
24 policy shall conspicuously state the name and address of the
25 issuer of the reimbursement insurance policy for that service
26 contract. A claim against a reimbursement insurance policy
27 shall also include a claim for return of any refund due in
28 accordance with paragraphs “k” and “l”.

29 c. A service contract not insured under a reimbursement
30 insurance policy shall contain a statement in substantially the
31 following form:

32 Obligations of the service company under this service
33 contract are backed by the full faith and credit of the service
34 company and are not guaranteed under a reimbursement insurance
35 policy.

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- 1 *d.* A service contract shall state the name and address of
2 the service company obligated to perform services under the
3 contract, and shall conspicuously identify the service company,
4 any third-party administrator, and the service contract holder
5 to the extent that the name and address of the service contract
6 holder has been furnished. The identities of such parties are
7 not required to be printed on the contract in advance and may
8 be added to the contract at the time of sale.
- 9 *e.* A service contract shall clearly state the total purchase
10 price of the service contract and the terms under which the
11 service contract is sold. The total purchase price is not
12 required to be printed on the contract in advance and may be
13 added to the contract at the time of sale.
- 14 *f.* If prior approval of repair work is required, a service
15 contract shall conspicuously describe the procedure for
16 obtaining prior approval and for making a claim, including a
17 toll-free telephone number for claim service, and the procedure
18 for obtaining emergency repairs performed outside of normal
19 business hours.
- 20 *g.* A service contract shall clearly state the existence of
21 any deductible amount.
- 22 *h.* A service contract shall specify the merchandise
23 or services, or both, to be provided and any limitations,
24 exceptions, or exclusions.
- 25 *i.* A service contract shall clearly state the conditions on
26 which the use of substitute parts or services will be allowed.
27 Such conditions shall comply with applicable state and federal
28 laws.
- 29 *j.* A service contract shall clearly state any terms,
30 restrictions, or conditions governing the transferability of
31 the service contract.
- 32 *k.* A service contract shall clearly state the terms and
33 conditions governing the cancellation of the contract prior
34 to the termination or expiration date of the contract by the
35 service company or the service contract holder. If the service

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- 1 company cancels the contract, the service company shall mail a
2 written notice of termination to the service contract holder
3 at least fifteen days before the date of the termination.
4 Prior notice of cancellation by the service company is not
5 required if the reason for cancellation is nonpayment of the
6 purchase price, a material misrepresentation by the service
7 contract holder to the service company or its administrator, or
8 a substantial breach of duties by the service contract holder
9 relating to the covered product or its use. The notice of
10 cancellation shall state the effective date of the cancellation
11 and the reason for the cancellation. If a service contract
12 is canceled by the service company for any reason other than

13 nonpayment of the purchase price, the service company shall
14 refund the service contract holder in an amount equal to one
15 hundred percent of the unearned purchase price paid, calculated
16 on a pro rata basis based upon elapsed time or mileage,
17 less any claims paid. The service company may also charge a
18 reasonable administrative fee in an amount no greater than ten
19 percent of the total purchase price.

20 *l.*(1) A service contract shall permit the original
21 service contract holder that purchased the contract to cancel
22 and return the service contract within at least twenty days
23 of the date of mailing the service contract to the service
24 contract holder or within at least ten days after delivery of
25 the service contract if the service contract is delivered at
26 the time of sale of the service contract, or within a longer
27 period of time as permitted under the service contract. If no
28 claim has been made under the service contract prior to its
29 return, the service contract is void and the full purchase
30 price of the service contract shall be refunded to the service
31 contract holder. A ten percent penalty shall be added each
32 month to a refund that is not paid to a service contract holder
33 within thirty days of the return of the service contract to the
34 service company.

35 (2) If the service contract holder cancels the service

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1 contract outside of the applicable time as provided in
2 subparagraph (1) or after a claim is made under the service
3 contract, the service company shall refund the service contract
4 holder in an amount equal to one hundred percent of the
5 unearned purchase price paid, calculated on a pro rata basis
6 based upon elapsed time or mileage, less any claims paid. The
7 service company may also charge a reasonable administrative fee
8 in an amount no greater than ten percent of the total purchase
9 price.

10 *m.* A service contract shall set forth all of the obligations
11 and duties of the service contract holder, including but not
12 limited to the duty to protect against any further damage,
13 and the obligation to follow an owner's manual or any other
14 required service or maintenance.

15 *n.* A service contract shall clearly state whether or not
16 the contract provides for or excludes consequential damages
17 or preexisting conditions, if applicable. A service contract
18 may, but is not required to, cover damage resulting from rust,
19 corrosion, or damage caused by a part or system which is not
20 covered under the service contract.

21 *o.* A service contract shall clearly state the fee, if any,
22 charged on the service contract holder for making a service
23 call.

24 *p.* A service contract shall state the name and address of
25 the commissioner.

26 Sec. 8. Section 523C.9, Code 2019, is amended to read as

27 follows:

28 **523C.9 Suspension or revocation of license.**

29 ~~1. In addition to the license revocation provisions of~~
30 ~~section 523C.5, the~~ The commissioner may suspend or revoke or
31 refuse to renew the license of a service company for any of the
32 following grounds:

- 33 ~~a. 1.~~ The service company violated a lawful order of the
34 commissioner or any provision of this chapter.
35 ~~b. 2.~~ The service company failed to pay any final judgment

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- 1 rendered against it in this state within sixty days after the
2 judgment became final.
3 ~~c. 3.~~ The service company has without just cause refused
4 to perform or negligently or incompetently performed services
5 required to be performed under its ~~residential~~ service
6 contracts and the refusal, or negligent or incompetent
7 performance has occurred with such frequency, as the
8 commissioner determines, as to indicate the general business
9 practices of the service company.
10 ~~d. 4.~~ The service company violated section 523C.13.
11 ~~e. 5.~~ The service company failed to ~~maintain the net worth~~
12 ~~required by section 523C.6~~ demonstrate financial responsibility
13 pursuant to section 523C.5.
14 ~~f. The service company failed to maintain the reserve~~
15 ~~account required by section 523C.11.~~
16 ~~g. 6.~~ The service company failed to maintain its corporate
17 certificate of good standing with the secretary of state.
18 ~~2. If the license of a service company is terminated~~
19 ~~under section 523C.5 because of failure to maintain bond, the~~
20 ~~commissioner shall give written notice of termination to the~~
21 ~~service company. The notice shall include the effective date~~
22 ~~of the termination.~~

23 Sec. 9. Section 523C.12, Code 2019, is amended to read as
24 follows:

25 **523C.12 Optional examination.**

26 The commissioner or a designee of the commissioner may
27 make an examination of the books and records of a service
28 company, including copies of contracts and records of claims
29 and expenditures, and verify its assets, liabilities, and
30 reserves. The actual costs of the examination shall be borne
31 by the service company. The costs of an examination under this
32 section shall not exceed an amount equal to ten percent of the
33 service company's reported net income in the previous fiscal
34 year.

35 Sec. 10. Section 523C.13, Code 2019, is amended to read as

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1 follows:

2 **523C.13 Prohibited acts or practices — penalty — violations**

3 — contracts voided.

4 1. A licensed service company which offers motor
5 vehicle service contracts for sale in this state, or its
6 representative, shall not, directly or indirectly, represent in
7 any manner, whether by written solicitation or telemarketing, a
8 false, deceptive, or misleading statement with respect to any
9 of the following:

10 a. Statements regarding the service company's affiliation
11 with a motor vehicle manufacturer or importer.

12 b. Statements regarding the validity or expiration of a
13 warranty.

14 c. Statements regarding a motor vehicle service contract
15 holder's coverage under a motor vehicle service contract,
16 including statements suggesting that the service contract
17 holder must purchase a new service contract in order to
18 maintain coverage under the existing service contract or
19 warranty.

20 2. The commissioner ~~shall~~ may adopt rules which regulate
21 motor vehicle service contracts and residential service
22 contracts to prohibit misrepresentation, false advertising,
23 defamation, boycotts, coercion, intimidation, false statements
24 and entries and unfair discrimination or practices. If the
25 commissioner finds that a person has violated the rules adopted
26 under this section, the commissioner may order any or all of
27 the following:

28 4. a. Payment of a civil penalty of not more than one
29 thousand dollars for each and every act or violation, but not
30 to exceed an aggregate of ten thousand dollars, unless the
31 person knew or reasonably should have known the person was in
32 violation of this section, in which case the penalty shall be
33 not more than five thousand dollars for each and every act or
34 violation, but not to exceed an aggregate penalty of fifty
35 thousand dollars in any one six-month period. The commissioner

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1 shall, if it finds the violations of this section were
2 directed, encouraged, condoned, ignored, or ratified by the
3 employer of such person, assess such penalty to the employer
4 and not such person. Any civil penalties collected under this
5 subsection shall be deposited as provided in section 505.7.

6 2. b. Suspension or revocation of the license of a person,
7 if the person knew or reasonably should have known the person
8 was in violation of this section.

9 3. A violation of this chapter constitutes an unlawful
10 practice pursuant to section 714.16.

11 4. A service contract issued or sold in this state is void
12 if the person that issued or sold the service contract, at the
13 time of issuance or sale, was not licensed as a service company
14 under this chapter.

15 Sec. 11. Section 523C.15, Code 2019, is amended to read as
16 follows:

17 **523C.15 Annual report.**

18 A licensed service company ~~that does not demonstrate~~
19 financial responsibility by insuring service contracts under a
20 reimbursement insurance policy as provided in section 523C.5,
21 subsection 1, shall file with the commissioner an annual
22 report ~~within ninety days of the close of its fiscal~~ no later
23 than August 31 of each year. The annual report shall be in
24 a form prescribed by the commissioner and contain all of the
25 following:

26 1. A current financial statement including a balance
27 sheet and statement of operations prepared in accordance with
28 generally accepted accounting principles and certified by an
29 independent certified public accountant.

30 ~~2. The number of residential service contracts issued~~
31 ~~during the preceding fiscal year, the number canceled or~~
32 ~~expired during the year, the number in effect at year end and~~
33 ~~the amount of residential service contract fees received.~~

34 ~~3. 2.~~ Any other information relating to the performance
35 and solvency of the ~~residential~~ service company required by the

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1 commissioner.

2 Sec. 12. Section 523C.16, Code 2019, is amended to read as
3 follows:

4 **523C.16 Exclusions.**

5 This chapter does not apply to any of the following and the
6 following do not constitute the practice of insurance:

7 1. A performance guarantee given by a builder of a residence
8 or the manufacturer or seller or lessor of residential property
9 if no identifiable charge is made for the guarantee.

10 2. A residential service contract, guarantee or warranty
11 between a residential customer and a service company which will
12 perform the work itself and not through subcontractors for
13 the service, repair or replacement of residential property,
14 appliances, or electrical, plumbing, heating, cooling or
15 air-conditioning systems.

16 3. A contract between a service company issuing residential
17 service contracts and a person who actually performs the
18 maintenance, repairs, or replacements of structural components,
19 or appliances, or electrical, plumbing, heating, cooling, or
20 air-conditioning systems, if someone other than the service
21 company actually performs these functions.

22 4. A residential service contract, guarantee or warranty
23 issued by a retail merchant to a retail customer, guaranteeing
24 or warranting the repair, service or replacement of appliances
25 or electrical, plumbing, heating, cooling or air-conditioning
26 systems sold by said retail merchant.

27 5. A residential service contract, guarantee, or warranty
28 issued by a manufacturer, third party, or retail company,
29 covering the repair, maintenance, or replacement of residential
30 property, individual appliances, and other individual items

31 of merchandise marketed and sold by a retail company, in the
 32 ordinary course of business.
 33 6. A motor vehicle service contract issued by the
 34 manufacturer or importer of the motor vehicle covered by
 35 the service contract or to any third party acting in an

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1 administrative capacity on the manufacturer's behalf in
 2 connection with that service contract.
 3 7. A residential service contract involving residential
 4 property containing more than four dwelling units.
 5 8. A warranty.
 6 9. A motor vehicle service contract issued, offered for
 7 sale, or sold to any person other than a consumer.
 8 10. A maintenance agreement.
 9 Sec. 13. Section 523C.17, Code 2019, is amended to read as
 10 follows:
 11 **523C.17 Lending institutions, ~~service companies, and~~**
 12 **~~insurance companies.~~**
 13 A bank, savings association, insurance company, or other
 14 lending institution shall not require the purchase of a motor
 15 vehicle service contract or residential service contract as
 16 a condition of a loan or the sale of any property or motor
 17 vehicle. A service company or an insurer, either directly or
 18 indirectly, as a part of any real property transaction in which
 19 a residential service contract will be issued, purchased, or
 20 acquired, shall not require that a residential service contract
 21 be issued, purchased, or acquired in conjunction with or as a
 22 condition precedent to the issuance, purchase, or acquisition,
 23 by any person, of a policy of insurance. A lending institution
 24 shall not sell a residential service contract to a borrower
 25 unless the borrower signs an affidavit acknowledging that
 26 the purchase is not required. Violation of this section is
 27 punishable as provided in section 523C.13.

28 Sec. 14. Section 523C.22, Code 2019, is amended to read as
 29 follows:
 30 **523C.22 Claim procedures.**
 31 A licensed service company shall promptly provide a written
 32 explanation to the residential customer service contract
 33 holder, describing the reasons for denying a claim or for the
 34 offer of a compromise settlement, based on all relevant facts
 35 or legal requirements and referring to applicable provisions of

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1 the ~~residential~~ service contract.
 2 Sec. 15. **NEW SECTION. 523C.24 Service company oversight**
 3 **fund.**
 4 1. A service company oversight fund is created in the
 5 state treasury as a separate fund under the control of the
 6 commissioner. The fund shall consist of all moneys deposited

7 in the fund pursuant to subsection 2.

8 2. The commissioner shall deposit in the service company
9 oversight fund an amount equal to one-third of all licensing,
10 examination, renewal, and inspection fees collected under this
11 chapter, provided that the maximum amount of fees deposited
12 in the fund each fiscal year shall not exceed five hundred
13 thousand dollars. Any remaining fees collected under this
14 chapter and not deposited in the service company oversight fund
15 shall be deposited as provided in section 505.7.

16 3. Moneys in the service company oversight fund are
17 appropriated to the commissioner for the administration and
18 enforcement of this chapter, and for establishing service
19 contract consumer complaint, education, and outreach programs.
20 4. Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the service company oversight
22 fund shall be credited to the fund. Notwithstanding section
23 8.33, moneys credited to the fund shall not revert at the close
24 of a fiscal year.

25 Sec. 16. REPEAL. Chapter 516E, Code 2019, is repealed.

26 Sec. 17. REPEAL. Sections 523C.8, 523C.8A, 523C.11,
27 523C.14, and 523C.18, Code 2019, are repealed.

28 Sec. 18. EMERGENCY RULES. The commissioner of insurance
29 may adopt emergency rules under section 17A.4, subsection 3,
30 and section 17A.5, subsection 2, paragraph "b", to implement
31 the provisions of this Act and the rules shall be effective
32 immediately upon filing unless a later date is specified in the
33 rules. Any rules adopted in accordance with this section shall
34 also be published as a notice of intended action as provided
35 in section 17A.4.

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1 Sec. 19. EFFECTIVE DATE. This Act, being deemed of
2 immediate importance, takes effect upon enactment.>

ZACH NUNN

S-3164

1 Amend House File 690, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 6, after line 7 by inserting:

4 <Sec. _____. Section 256.7, Code 2019, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 34. The department shall coordinate
7 with the department of human services to promulgate rules to
8 implement and develop an age-appropriate universal behavioral
9 health screening for children in kindergarten through grade
10 twelve. The rules shall require age-appropriate universal
11 behavioral health screenings beginning July 1, 2021, for
12 children in kindergarten through grade twelve who receive
13 competent private instruction, independent private instruction,

14 or who are enrolled in a nonpublic or private school. The
15 age-appropriate universal behavioral health screenings shall
16 be evidence-based and identify the need for a referral for
17 appropriate services.

18 Sec. ____ **NEW SECTION. 280.31 Universal behavioral health**
19 **screenings.**

20 The board of directors of each public school district
21 and the authorities in charge of each nonpublic school shall
22 require age-appropriate universal behavioral health screenings
23 beginning July 1, 2021, for children in kindergarten through
24 grade twelve that are developed by the department of education
25 and the department of human services.>

26 2. Page 12, after line 26 by inserting:

27 <Sec. ____ DEPARTMENT OF EDUCATION AND DEPARTMENT OF
28 HUMAN SERVICES — UNIVERSAL BEHAVIORAL HEALTH SCREENING. The
29 department of education shall coordinate with the department
30 of human services to promulgate rules to implement and develop
31 an age-appropriate universal behavioral health screening for
32 children in kindergarten through grade twelve. The rules
33 shall require age-appropriate universal behavioral health
34 screenings beginning July 1, 2021, for children in kindergarten
35 through grade twelve who receive competent private instruction,

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1 independent private instruction, or who are enrolled in a
2 nonpublic or private school. The age-appropriate universal
3 behavioral health screenings shall be evidence-based and
4 identify the need for a referral for appropriate services.>
5 3. By renumbering as necessary.

ROBERT M. HOGG

S-3165

1 Amend Senate File 619 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 523C.1, Code 2019, is amended to read
5 as follows:

6 **523C.1 Definitions.**

7 As used in this chapter, unless the context otherwise
8 requires:

9 1. “*Commissioner*” means the commissioner of insurance.

10 2. “*Custodial account*” means an account established by
11 agreement between a licensed service company and a custodian
12 under section 523C.5.

13 3. “*Custodial agreement*” means an agreement entered into
14 between a licensed service company and a custodian under
15 section 523C.5.

16 4. “*Custodian*” means an institution meeting the requirements
17 established by the commissioner which institution has entered

18 ~~into a custodial agreement or reserve account agreement with a~~
19 ~~licensed service company.~~

20 5. ~~“Depository” means an institution designated by the~~
21 ~~commissioner as an authorized custodian for purposes of~~
22 ~~sections 523C.5 and 523C.11.~~

23 6. 2. “Licensed service company” means a service company
24 which is licensed by the commissioner pursuant to this chapter.

25 3. “Maintenance agreement” means a contract of any duration
26 that provides for scheduled maintenance to property.

27 4. “Motor vehicle” means any self-propelled vehicle subject
28 to registration under chapter 321.

29 5. “Motor vehicle manufacturer” means any of the following:

30 a. A person who manufactures or produces motor vehicles
31 and sells the motor vehicles under the person’s trade name or
32 label.

33 b. A person who is a wholly owned subsidiary of any person
34 who manufactures or produces motor vehicles.

35 c. A person who holds a one hundred percent ownership

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1 interest in another person who manufactures or produces motor
2 vehicles.

3 d. A person who does not manufacture or produce motor
4 vehicles, but for which motor vehicles are sold under the
5 person’s trade name or label.

6 e. A person who manufactures or produces motor vehicles,
7 but the motor vehicles are sold under the trade name or label
8 of another person.

9 f. A person who does not manufacture or produce motor
10 vehicles, but who licenses the use of the person’s trade name
11 or label to another person pursuant to a written contract, who
12 then sells motor vehicles under the trade name or label of the
13 licensor.

14 6. “Motor vehicle service contract” means a contract or
15 agreement sold for separate consideration for a specific
16 duration that undertakes to perform the repair, replacement,
17 or maintenance of a motor vehicle, or indemnification for
18 such repair, replacement, or maintenance, for the operation
19 or structural failure of a motor vehicle due to a defect in
20 materials, workmanship, or normal wear and tear, with or
21 without additional provisions for the incidental payment
22 of indemnity under limited circumstances, including but
23 not limited to motor vehicle towing, rental, emergency road
24 service, and road hazard protection. “Motor vehicle service
25 contract” also includes a contract or agreement sold for
26 separate consideration for a specific duration that provides
27 for any of the following services or products:

28 a. The repair or replacement of motor vehicle tires or
29 wheels that are damaged as a result of contact with road
30 hazards, including but not limited to potholes, rocks, wood
31 debris, metal parts, glass, plastic, curbs, or composite

32 scraps.
33 b. The removal of dents or creases on a motor vehicle
34 under a process that does not use paint or affect the existing
35 paint finish, and without sanding, bonding, or replacing motor

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1 vehicle body panels.
2 c. The repair or replacement of motor vehicle windshields
3 that are damaged as a result of contact with road hazards.
4 d. The replacement of motor vehicle keys or key fobs in the
5 event that such device becomes inoperable, lost, or stolen.
6 e. Any other service or product approved by the
7 commissioner.
8 7. "Premium" means the consideration paid to an insurer for
9 a reimbursement insurance policy.
10 ~~7.~~ 8. "Record" means the same as defined in section 516E.1
11 information stored or preserved in any medium, including in
12 an electronic or paper format. A "record" includes but is
13 not limited to documents, books, publications, accounts,
14 correspondence, memoranda, agreements, computer files, film,
15 microfilm, photographs, and audio or visual tapes.
16 9. "Reimbursement insurance policy" means a contractual
17 liability insurance policy issued to a service company that
18 either provides reimbursement to a service company under the
19 terms of insured service contracts issued or sold by the
20 service company or, in the event of nonperformance by the
21 service company, pays, on behalf of the service company, all
22 covered contractual obligations incurred by the service company
23 under the terms of the insured service contracts issued or sold
24 by the service company.
25 ~~8.~~ 8. "Reserve account agreement" means an agreement entered
26 into between a licensed service company and a depository under
27 section 523C.11.
28 ~~9.~~ 10. "Residential service contract" means a contract or
29 agreement between a residential customer and a service company
30 which undertakes, for a predetermined fee and for a specified
31 any period of time, to service, maintain, repair, or replace,
32 or indemnify expenses for all or any part of the operational or
33 structural components, appliances, or electrical, mechanical,
34 plumbing, heating, cooling, or air-conditioning systems of
35 residential property containing not more than four dwelling

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1 units in the state which fails due to normal wear or tear or
2 inherent defect. "Residential service contract" also includes
3 a contract which provides for the service, repair, replacement,
4 or maintenance of property for damage resulting from power
5 surges, roof leakage, and accidental damage.
6 ~~10.~~ 11. "Service company" means a person who issues and
7 performs, or arranges to perform, is contractually obligated to

8 perform services pursuant to a motor vehicle service contract
9 or residential service contract.

10 12. "Service contract" means a motor vehicle service
11 contract or residential service contract.

12 13. "Warranty" means a statement made solely by the
13 manufacturer, importer, or seller of property or services
14 without consideration, that is not negotiated or separated from
15 the sale of the product and is incidental to the sale of the
16 product, and that guarantees indemnity for defective parts,
17 mechanical or electrical breakdown, and labor or other remedial
18 measures, such as repair or replacement of the property or
19 repetition of services.

20 Sec. 2. Section 523C.2, Code 2019, is amended to read as
21 follows:

22 **523C.2 License required.**

23 1. A person shall not issue ~~a~~ offer for sale, or sell a
24 motor vehicle service contract or residential service contract
25 ~~or undertake or arrange to perform services pursuant to a~~
26 residential service contract in this state unless the person
27 is ~~a corporation or other form of organization approved by the~~
28 ~~commissioner by rule and is a~~ licensed as a service company
29 under this chapter.

30 2. The licensure requirements of this chapter shall not
31 apply to any person who provides support services or works
32 under the direction of a licensed service company in connection
33 with the issuance, offer for sale, or sale of a service
34 contract in this state, including but not limited to a person
35 who provides marketing, administrative, or technical support.

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1 Sec. 3. Section 523C.3, Code 2019, is amended to read as
2 follows:

3 **523C.3 Application for license.**

4 1. Application for a license as a service company shall
5 be made to and filed with the commissioner on forms approved
6 by the commissioner and shall include all of the following
7 information:

- 8 a. The name and principal address of the applicant.
- 9 b. The state of incorporation of the applicant.
- 10 c. The name and address of the applicant's registered agent
- 11 for service of process within Iowa.
- 12 d. A certificate of good standing for the applicant issued
13 by the secretary of state and dated not more than thirty days
14 prior to the date of the application.
- 15 e. Evidence of compliance with section 523C.5.
- 16 f. A copy of each motor vehicle service contract form to be
17 used or issued in this state, if applicable.
- 18 g. A copy of each residential service contract form to be
19 used or issued in this state, if applicable.

20 2. The application shall be accompanied by all of the
21 following:

- 22 ~~a. A certificate of good standing for the applicant issued~~
23 ~~by the secretary of state and dated not more than thirty days~~
24 ~~prior to the date of the application.~~
25 ~~b. A surety bond, a copy of the receipt from the treasurer~~
26 ~~of state that a cash deposit has been made, or a copy of a~~
27 ~~eustodial agreement as provided in section 523C.5.~~
28 ~~c. A copy of the most recent financial statement, including~~
29 ~~balance sheets and related statements of income, of the~~
30 ~~applicant, prepared in accordance with generally accepted~~
31 ~~accounting principles, audited by a certified public accountant~~
32 ~~and dated not more than twelve months prior to the date of the~~
33 ~~application.~~
34 ~~d. An affidavit of an authorized officer of the service~~
35 ~~company stating the number of contracts issued by the service~~

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- 1 ~~company in the preceding calendar year, and stating that the~~
2 ~~net worth of the service company satisfies the requirements of~~
3 ~~section 523C.6.~~
4 ~~e. a. A license fee in the amount of two five hundred fifty~~
5 ~~dollars.~~
6 ~~b. If applicable, a fee in the amount of fifty dollars~~
7 ~~for each motor vehicle service contract form submitted in an~~
8 ~~application as provided in subsection 1, paragraph "f".~~
9 3. If the application contains the required information and
10 is accompanied by the items set forth in subsection 2, ~~and if~~
11 ~~the net worth requirements of section 523C.6 are satisfied, as~~
12 ~~evidenced by the audited financial statements, the commissioner~~
13 ~~shall issue the license. If the form of application is not~~
14 ~~properly completed or if the required accompanying documents~~
15 ~~are not furnished or in proper form, the commissioner shall~~
16 ~~not issue the license and shall give the applicant written~~
17 ~~notice of the grounds for not issuing the license. A notice~~
18 ~~of license denial shall be accompanied by a refund of fifty~~
19 ~~percent of the fee submitted with the application.~~
20 4. Fees collected under this section shall be deposited as
21 provided in section ~~505.7~~ 523C.24.
22 Sec. 4. Section 523C.4, Code 2019, is amended to read as
23 follows:
24 **523C.4 License expiration and renewal.**
25 1. Each license issued under this chapter shall expire
26 on June 30 next be valid for a period of one year and shall
27 be renewed by August 31 of each year following the date of
28 issuance. ~~If the service company maintains in force the surety~~
29 ~~bond described in section 523C.5 and if its license is not~~
30 ~~subject to or under suspension or revocation under section~~
31 ~~523C.9, its license shall be renewed by the commissioner upon~~
32 ~~receipt by the commissioner on or before the expiration date~~
33 ~~of a renewal application accompanied by the items required by~~
34 ~~section 523C.3, subsection 2, paragraphs "b", "c", "d", and "e",~~
35 ~~and section 523C.15.~~

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1 2. An application for renewal shall include the information
2 required for an initial license as described in section 523C.3,
3 subsection 1.
4 3. The renewal application shall be accompanied by all of
5 the following:
6 a. A license renewal fee in the amount of five hundred
7 dollars.
8 b. If applicable, a fee in the amount of three percent of
9 the aggregate amount of payments the licensee received for the
10 sale or issuance of residential service contracts in this state
11 during the preceding fiscal year, provided that such fee shall
12 be no less than one hundred dollars and no greater than fifty
13 thousand dollars.
14 c. If applicable, a fee in the amount of fifty dollars
15 for each motor vehicle service contract form submitted in a
16 renewal application as provided in section 523C.3, subsection
17 1, paragraph "f".
18 d. Information regarding the number of motor vehicle service
19 contracts or residential service contracts issued during the
20 preceding fiscal year, the number canceled or expired during
21 the preceding fiscal year, the number in effect at the end of
22 the preceding fiscal year, and the amount of service contract
23 fees received during the preceding fiscal year.
24 4. If the commissioner denies renewal of the license, the
25 denial shall be in writing setting forth the grounds for denial
26 and shall be accompanied by a refund of fifty percent of the
27 license renewal fee.
28 5. In addition to the annual license renewal requirements
29 as provided in this section, a licensee shall report to the
30 commissioner any material change in information submitted by
31 the licensee in its initial license application which has
32 not been reported to the commissioner, including a change in
33 contact information, a change in ownership, or any other change
34 which substantially affects the licensee's operations in this
35 state.

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1 Sec. 5. Section 523C.5, Code 2019, is amended by striking
2 the section and inserting in lieu thereof the following:
3 **523C.5 Financial responsibility — demonstration**
4 **requirements.**
5 In order to assure the faithful performance of a service
6 company's obligations to its contract holders in this state,
7 a licensed service company shall demonstrate financial
8 responsibility to the commissioner by satisfying one of the
9 following, as evidenced by the service company:
10 1. Insuring all motor vehicle service contracts and
11 residential service contracts offered for sale in this state
12 under a reimbursement insurance policy that complies with

13 section 523C.6.

14 2. Doing both of the following:

15 a. Maintaining a funded reserve account for the service
16 company's obligations under any issued and outstanding service
17 contracts in this state, in an amount no less than forty
18 percent of gross consideration received, less claims paid, for
19 the sale of all service contracts issued and in force in this
20 state. The reserve account shall be subject to examination and
21 review by the commissioner.

22 b. Placing in trust with the commissioner a financial
23 security deposit in an amount no less than five percent of
24 the gross consideration received by the service company,
25 less claims paid, for the sale of all motor vehicle service
26 contracts and residential service contracts issued and in force
27 in this state, but not less than twenty-five thousand dollars,
28 consisting of one of the following:

29 (1) Cash.

30 (2) Securities of the type eligible for deposit by insurers
31 authorized to transact business in this state.

32 (3) Certificates of deposit.

33 (4) A surety bond issued by an authorized surety company.

34 (5) Another form of security as prescribed by the
35 commissioner by rule.

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1 3. Doing both of the following:

2 a. Maintaining, on its own or together with a parent
3 company, a minimum net worth or stockholders' equity of one
4 hundred million dollars or more.

5 b. Upon request from the commissioner, providing either:

6 (1) A copy of the service company's financial statements.

7 (2) If the service company's financial statements are
8 consolidated with those of its parent company, a copy of the
9 parent company's most recent form 10-K or form 20-F filed with
10 the federal securities and exchange commission within the last
11 calendar year, or if the parent company does not file with
12 the federal securities and exchange commission, a copy of the
13 parent company's audited financial statements showing a net
14 worth of at least one hundred million dollars. If the service
15 company's financial statements are consolidated with those of
16 its parent company, the service company shall also provide a
17 copy of a written agreement by the parent company guaranteeing
18 the obligations of the service company under motor vehicle
19 service contracts and residential service contracts issued and
20 outstanding by the service company in this state.

21 Sec. 6. Section 523C.6, Code 2019, is amended by striking
22 the section and inserting in lieu thereof the following:

23 **523C.6 Reimbursement insurance policy requirements — insurer**
24 **qualifications.**

25 1. *Requirements.* A reimbursement insurance policy insuring
26 a motor vehicle service contract or residential service

27 contract issued, sold, or offered for sale in this state shall
28 provide for all of the following:
29 a. The reimbursement insurance policy shall obligate the
30 insurer that issued such policy to reimburse or pay on behalf
31 of the service company any covered sums that the service
32 company is legally obligated to pay according to the terms of
33 the contract or, in the event of nonperformance by the service
34 company, provide the service which the service company is
35 legally obligated to perform according to the terms of the

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1 service contract, which shall be conspicuously stated in the
2 reimbursement insurance policy.
3 b. The reimbursement insurance policy shall entitle a
4 service contract holder to make a claim directly against the
5 insurance policy if the service company fails to pay or provide
6 service on a claim within sixty days after proof of loss is
7 filed with the service company.
8 c. The insurer that issued a reimbursement insurance policy
9 shall be deemed to have received the premiums upon the payment
10 of the total purchase price of the service contract by the
11 service contract holder.
12 2. *Termination.* As applicable, an insurer that issued a
13 reimbursement insurance policy shall not terminate the policy
14 unless a written notice has been received by the commissioner
15 and by each applicable service company. The notice shall
16 fix the date of termination at a date no earlier than ten
17 days after receipt of the notice by the commissioner. The
18 termination of a reimbursement insurance policy shall not
19 reduce the issuer's responsibility for a service contract
20 issued by an insured service company prior to the date of
21 termination.
22 3. *Indemnification or subrogation.* This section does
23 not prevent or limit the right of an insurer that issued a
24 reimbursement insurance policy to seek indemnification from or
25 subrogation against a service company if the insurer pays or
26 is obligated to pay a service contract holder sums that the
27 service company was obligated to pay pursuant to the provisions
28 of a service contract or pursuant to a contractual agreement.
29 4. *Premium tax liability.* Payments for the purchase price
30 of a service contract by a service contract holder shall be
31 exempt from premium tax. However, premiums shall be subject
32 to premium tax.
33 5. *Qualifications of insurer.* An insurer issuing a
34 reimbursement insurance policy under this chapter shall be
35 authorized, registered, or otherwise permitted to transact

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1 business in this state and shall meet one of the following
2 requirements:

3 a. At the time the policy is filed with the commissioner,
4 and continuously thereafter, the insurer maintains surplus
5 as to policyholders and paid-in capital of at least fifteen
6 million dollars and annually files copies of the insurer's
7 financial statements, national association of insurance
8 commissioners annual statement, and actuarial certification, if
9 required and filed in the insurer's state of domicile.

10 b. At the time the policy is filed with the commissioner and
11 continuously thereafter, the insurer does all of the following:

12 (1) Maintains surplus as to policyholders and paid-in
13 capital of less than fifteen million dollars but at least ten
14 million dollars.

15 (2) Demonstrates to the satisfaction of the commissioner
16 that the insurer maintains a ratio of net written premiums,
17 wherever written, to surplus as to policyholders and paid-in
18 capital of not greater than three to one.

19 (3) Files copies annually of the insurer's financial
20 statements, national association of insurance commissioners
21 annual statement, and actuarial certification, if required and
22 filed in the insurer's state of domicile.

23 Sec. 7. Section 523C.7, Code 2019, is amended by striking
24 the section and inserting in lieu thereof the following:

25 **523C.7 Disclosure to service contract holders — contract**
26 **form — required provisions.**

27 1. A motor vehicle service contract or residential service
28 contract shall not be issued, sold, or offered for sale in this
29 state unless the service company does all of the following:

30 a. Provides a receipt for the purchase of the service
31 contract to the service contract holder.

32 b. Provides a copy of the service contract to the service
33 contract holder within a reasonable period of time after the
34 date of purchase of the service contract.

35 c. Provides a complete sample copy of the terms and

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1 conditions of the service contract to the service contract
2 holder prior to the date of purchase. A service company may
3 comply with this paragraph by providing the service contract
4 holder with a complete sample copy of the terms or conditions
5 of the service contract, or directing the service contract
6 holder to an internet site containing a complete sample copy of
7 the terms and conditions of the service contract.

8 2. A motor vehicle service contract or residential service
9 contract issued, sold, or offered for sale in this state shall
10 comply with all of the following, as applicable:

11 a. A service contract shall be written in clear,
12 understandable language in at least eight point font.

13 b. (1) A service contract insured by a reimbursement
14 insurance policy as provided in section 523C.5, subsection 1,
15 shall include a statement in substantially the following form:

16 Obligations of the service company under this service

17 contract are guaranteed under a reimbursement insurance policy.
18 If the service company fails to pay or provide service on a
19 claim within sixty days after proof of loss has been filed with
20 the service company, the service contract holder is entitled
21 to make a claim directly against the reimbursement insurance
22 policy.

23 (2) A service contract insured by a reimbursement insurance
24 policy shall conspicuously state the name and address of the
25 issuer of the reimbursement insurance policy for that service
26 contract. A claim against a reimbursement insurance policy
27 shall also include a claim for return of any refund due in
28 accordance with paragraphs "k" and "l".

29 c. A service contract not insured under a reimbursement
30 insurance policy shall contain a statement in substantially the
31 following form:

32 Obligations of the service company under this service
33 contract are backed by the full faith and credit of the service
34 company and are not guaranteed under a reimbursement insurance
35 policy.

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1 d. A service contract shall state the name and address of
2 the service company obligated to perform services under the
3 contract, and shall conspicuously identify the service company,
4 any third-party administrator, and the service contract holder
5 to the extent that the name and address of the service contract
6 holder has been furnished. The identities of such parties are
7 not required to be printed on the contract in advance and may
8 be added to the contract at the time of sale.

9 e. A service contract shall clearly state the total purchase
10 price of the service contract and the terms under which the
11 service contract is sold. The total purchase price is not
12 required to be printed on the contract in advance and may be
13 added to the contract at the time of sale.

14 f. If prior approval of repair work is required, a service
15 contract shall conspicuously describe the procedure for
16 obtaining prior approval and for making a claim, including a
17 toll-free telephone number for claim service, and the procedure
18 for obtaining emergency repairs performed outside of normal
19 business hours.

20 g. A service contract shall clearly state the existence of
21 any deductible amount.

22 h. A service contract shall specify the merchandise
23 or services, or both, to be provided and any limitations,
24 exceptions, or exclusions.

25 i. A service contract shall clearly state the conditions on
26 which the use of substitute parts or services will be allowed.
27 Such conditions shall comply with applicable state and federal
28 laws.

29 j. A service contract shall clearly state any terms,
30 restrictions, or conditions governing the transferability of

31 the service contract.

32 *k.* A service contract shall clearly state the terms and
33 conditions governing the cancellation of the contract prior
34 to the termination or expiration date of the contract by the
35 service company or the service contract holder. If the service

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1 company cancels the contract, the service company shall mail a
2 written notice of termination to the service contract holder
3 at least fifteen days before the date of the termination.
4 Prior notice of cancellation by the service company is not
5 required if the reason for cancellation is nonpayment of the
6 purchase price, a material misrepresentation by the service
7 contract holder to the service company or its administrator, or
8 a substantial breach of duties by the service contract holder
9 relating to the covered product or its use. The notice of
10 cancellation shall state the effective date of the cancellation
11 and the reason for the cancellation. If a service contract
12 is canceled by the service company for any reason other than
13 nonpayment of the purchase price, the service company shall
14 refund the service contract holder in an amount equal to one
15 hundred percent of the unearned purchase price paid, calculated
16 on a pro rata basis based upon elapsed time or mileage,
17 less any claims paid. The service company may also charge a
18 reasonable administrative fee in an amount no greater than ten
19 percent of the total purchase price.

20 *l.* (1) A service contract shall permit the original
21 service contract holder that purchased the contract to cancel
22 and return the service contract within at least twenty days
23 of the date of mailing the service contract to the service
24 contract holder or within at least ten days after delivery of
25 the service contract if the service contract is delivered at
26 the time of sale of the service contract, or within a longer
27 period of time as permitted under the service contract. If no
28 claim has been made under the service contract prior to its
29 return, the service contract is void and the full purchase
30 price of the service contract shall be refunded to the service
31 contract holder. A ten percent penalty shall be added each
32 month to a refund that is not paid to a service contract holder
33 within thirty days of the return of the service contract to the
34 service company.

35 (2) If the service contract holder cancels the service

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1 contract outside of the applicable time as provided in
2 subparagraph (1) or after a claim is made under the service
3 contract, the service company shall refund the service contract
4 holder in an amount equal to one hundred percent of the
5 unearned purchase price paid, calculated on a pro rata basis
6 based upon elapsed time or mileage, less any claims paid. The

7 service company may also charge a reasonable administrative fee
8 in an amount no greater than ten percent of the total purchase
9 price.

10 *m.* A service contract shall set forth all of the obligations
11 and duties of the service contract holder, including but not
12 limited to the duty to protect against any further damage,
13 and the obligation to follow an owner's manual or any other
14 required service or maintenance.

15 *n.* A service contract shall clearly state whether or not
16 the contract provides for or excludes consequential damages
17 or preexisting conditions, if applicable. A service contract
18 may, but is not required to, cover damage resulting from rust,
19 corrosion, or damage caused by a part or system which is not
20 covered under the service contract.

21 *o.* A service contract shall clearly state the fee, if any,
22 charged on the service contract holder for making a service
23 call.

24 *p.* A service contract shall state the name and address of
25 the commissioner.

26 Sec. 8. Section 523C.9, Code 2019, is amended to read as
27 follows:

28 **523C.9 Suspension or revocation of license.**

29 ~~1. In addition to the license revocation provisions of~~
30 ~~section 523C.5, the~~ The commissioner may suspend or revoke or
31 refuse to renew the license of a service company for any of the
32 following grounds:

33 ~~a. 1.~~ The service company violated a lawful order of the
34 commissioner or any provision of this chapter.

35 ~~b. 2.~~ The service company failed to pay any final judgment

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1 rendered against it in this state within sixty days after the
2 judgment became final.

3 ~~c. 3.~~ The service company has without just cause refused
4 to perform or negligently or incompetently performed services
5 required to be performed under its ~~residential~~ service
6 contracts and the refusal, or negligent or incompetent
7 performance has occurred with such frequency, as the
8 commissioner determines, as to indicate the general business
9 practices of the service company.

10 ~~d. 4.~~ The service company violated section 523C.13.

11 ~~e. 5.~~ The service company failed to ~~maintain the net worth~~
12 ~~required by section 523C.6~~ demonstrate financial responsibility
13 pursuant to section 523C.5.

14 ~~f. The service company failed to maintain the reserve~~
15 ~~account required by section 523C.11.~~

16 ~~g. 6.~~ The service company failed to maintain its corporate
17 certificate of good standing with the secretary of state.

18 ~~2. If the license of a service company is terminated~~
19 ~~under section 523C.5 because of failure to maintain bond, the~~
20 ~~commissioner shall give written notice of termination to the~~

21 ~~service company. The notice shall include the effective date~~
22 ~~of the termination.~~

23 Sec. 9. Section 523C.12, Code 2019, is amended to read as
24 follows:

25 **523C.12 Optional examination.**

26 The commissioner or a designee of the commissioner may
27 make an examination of the books and records of a service
28 company, including copies of contracts and records of claims
29 and expenditures, and verify its assets, liabilities, and
30 reserves. The actual costs of the examination shall be borne
31 by the service company. The costs of an examination under this
32 section shall not exceed an amount equal to ten percent of the
33 service company's reported net income in the previous fiscal
34 year.

35 Sec. 10. Section 523C.13, Code 2019, is amended to read as

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1 follows:

2 **523C.13 Prohibited acts or practices — penalty — violations**
3 **— contracts voided.**

4 1. A licensed service company which offers motor
5 vehicle service contracts for sale in this state, or its
6 representative, shall not, directly or indirectly, represent in
7 any manner, whether by written solicitation or telemarketing, a
8 false, deceptive, or misleading statement with respect to any
9 of the following:

10 a. Statements regarding the service company's affiliation
11 with a motor vehicle manufacturer or importer.

12 b. Statements regarding the validity or expiration of a
13 warranty.

14 c. Statements regarding a motor vehicle service contract
15 holder's coverage under a motor vehicle service contract,
16 including statements suggesting that the service contract
17 holder must purchase a new service contract in order to
18 maintain coverage under the existing service contract or
19 warranty.

20 2. The commissioner ~~shall~~ may adopt rules which regulate
21 motor vehicle service contracts and residential service
22 contracts to prohibit misrepresentation, false advertising,
23 defamation, boycotts, coercion, intimidation, false statements
24 and entries and unfair discrimination or practices. If the
25 commissioner finds that a person has violated the rules adopted
26 under this section, the commissioner may order any or all of
27 the following:

28 4. a. Payment of a civil penalty of not more than one
29 thousand dollars for each and every act or violation, but not
30 to exceed an aggregate of ten thousand dollars, unless the
31 person knew or reasonably should have known the person was in
32 violation of this section, in which case the penalty shall be
33 not more than five thousand dollars for each and every act or
34 violation, but not to exceed an aggregate penalty of fifty

35 thousand dollars in any one six-month period. The commissioner

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1 shall, if it finds the violations of this section were
2 directed, encouraged, condoned, ignored, or ratified by the
3 employer of such person, assess such penalty to the employer
4 and not such person. Any civil penalties collected under this
5 subsection shall be deposited as provided in section 505.7.
6 ~~2. h.~~ Suspension or revocation of the license of a person,
7 if the person knew or reasonably should have known the person
8 was in violation of this section.

9 3. A violation of this chapter constitutes an unlawful
10 practice pursuant to section 714.16.

11 4. A service contract issued or sold in this state is void
12 if the person that issued or sold the service contract, at the
13 time of issuance or sale, was not licensed as a service company
14 under this chapter.

15 Sec. 11. Section 523C.15, Code 2019, is amended to read as
16 follows:

17 **523C.15 Annual report.**

18 A licensed service company ~~that does not demonstrate~~
19 financial responsibility by insuring service contracts under a
20 reimbursement insurance policy as provided in section 523C.5,
21 subsection 1, shall file with the commissioner an annual
22 report ~~within ninety days of the close of its fiscal~~ no later
23 than August 31 of each year. The annual report shall be in
24 a form prescribed by the commissioner and contain all of the
25 following:

26 1. A current financial statement including a balance
27 sheet and statement of operations prepared in accordance with
28 generally accepted accounting principles and certified by an
29 independent certified public accountant.

30 ~~2. The number of residential service contracts issued~~
31 ~~during the preceding fiscal year, the number canceled or~~
32 ~~expired during the year, the number in effect at year end and~~
33 ~~the amount of residential service contract fees received.~~

34 ~~3. 2.~~ Any other information relating to the performance
35 and solvency of the ~~residential~~ service company required by the

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1 commissioner.

2 Sec. 12. Section 523C.16, Code 2019, is amended to read as
3 follows:

4 **523C.16 Exclusions.**

5 This chapter does not apply to any of the following and the
6 following do not constitute the practice of insurance:

7 1. A performance guarantee given by a builder of a residence
8 or the manufacturer or seller or lessor of residential property
9 if no identifiable charge is made for the guarantee.

10 2. A residential service contract, guarantee or warranty

11 between a residential customer and a service company which will
12 perform the work itself and not through subcontractors for
13 the service, repair or replacement of residential property,
14 appliances, or electrical, plumbing, heating, cooling or
15 air-conditioning systems.

16 3. A contract between a service company issuing residential
17 service contracts and a person who actually performs the
18 maintenance, repairs, or replacements of structural components,
19 or appliances, or electrical, plumbing, heating, cooling, or
20 air-conditioning systems, if someone other than the service
21 company actually performs these functions.

22 4. A residential service contract, guarantee or warranty
23 issued by a retail merchant to a retail customer, guaranteeing
24 or warranting the repair, service or replacement of appliances
25 or electrical, plumbing, heating, cooling or air-conditioning
26 systems sold by said retail merchant.

27 5. A residential service contract, guarantee, or warranty
28 issued by a manufacturer, third party, or retail company,
29 covering the repair, maintenance, or replacement of residential
30 property, individual appliances, and other individual items
31 of merchandise marketed and sold by a retail company, in the
32 ordinary course of business.

33 6. A motor vehicle service contract issued by the
34 manufacturer or importer of the motor vehicle covered by
35 the service contract or to any third party acting in an

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1 administrative capacity on the manufacturer's behalf in
2 connection with that service contract.

3 7. A residential service contract involving residential
4 property containing more than four dwelling units.

5 8. A warranty.

6 9. A motor vehicle service contract issued, offered for
7 sale, or sold to any person other than a consumer.

8 10. A maintenance agreement.

9 Sec. 13. Section 523C.17, Code 2019, is amended to read as
10 follows:

11 **523C.17 Lending institutions, ~~service companies, and~~**
12 **~~insurance companies.~~**

13 A bank, savings association, insurance company, or other
14 lending institution shall not require the purchase of a motor
15 vehicle service contract or residential service contract as
16 a condition of a loan or the sale of any property or motor
17 vehicle. ~~A service company or an insurer, either directly or~~
18 ~~indirectly, as a part of any real property transaction in which~~
19 ~~a residential service contract will be issued, purchased, or~~
20 ~~acquired, shall not require that a residential service contract~~
21 ~~be issued, purchased, or acquired in conjunction with or as a~~
22 ~~condition precedent to the issuance, purchase, or acquisition,~~
23 ~~by any person, of a policy of insurance. A lending institution~~
24 ~~shall not sell a residential service contract to a borrower~~

25 ~~unless the borrower signs an affidavit acknowledging that~~
26 ~~the purchase is not required.~~ Violation of this section is
27 punishable as provided in section 523C.13.
28 Sec. 14. Section 523C.22, Code 2019, is amended to read as
29 follows:
30 **523C.22 Claim procedures.**
31 A licensed service company shall promptly provide a written
32 explanation to the ~~residential customer~~ service contract
33 holder, describing the reasons for denying a claim or for the
34 offer of a compromise settlement, based on all relevant facts
35 or legal requirements and referring to applicable provisions of

Page 21

1 the ~~residential~~ service contract.
2 Sec. 15. NEW SECTION. **523C.24 Service company oversight**
3 **fund.**
4 1. A service company oversight fund is created in the
5 state treasury as a separate fund under the control of the
6 commissioner. The fund shall consist of all moneys deposited
7 in the fund pursuant to subsection 2.
8 2. The commissioner shall deposit in the service company
9 oversight fund an amount equal to one-third of all licensing,
10 examination, renewal, and inspection fees collected under this
11 chapter, provided that the maximum amount of fees deposited
12 in the fund each fiscal year shall not exceed five hundred
13 thousand dollars. Any remaining fees collected under this
14 chapter and not deposited in the service company oversight fund
15 shall be deposited as provided in section 505.7.
16 3. Moneys in the service company oversight fund are
17 appropriated to the commissioner for the administration and
18 enforcement of this chapter, and for establishing service
19 contract consumer complaint, education, and outreach programs.
20 4. Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the service company oversight
22 fund shall be credited to the fund. Notwithstanding section
23 8.33, moneys credited to the fund shall not revert at the close
24 of a fiscal year.
25 Sec. 16. REPEAL. Chapter 516E, Code 2019, is repealed.
26 Sec. 17. REPEAL. Sections 523C.8, 523C.8A, 523C.11,
27 523C.14, and 523C.18, Code 2019, are repealed.
28 Sec. 18. EMERGENCY RULES. The commissioner of insurance
29 may adopt emergency rules under section 17A.4, subsection 3,
30 and section 17A.5, subsection 2, paragraph "b", to implement
31 the provisions of this Act and the rules shall be effective
32 immediately upon filing unless a later date is specified in the
33 rules. Any rules adopted in accordance with this section shall
34 also be published as a notice of intended action as provided
35 in section 17A.4.

Page 22

- 1 Sec. 19. EFFECTIVE DATE. This Act, being deemed of
- 2 immediate importance, takes effect upon enactment.>

ZACH NUNN

S-3166

- 1 Amend the House amendment, S-3163, to Senate File 567, as
- 2 amended, passed, and reprinted by the Senate, as follows:
- 3 1. Page 1, line 19, by striking <crime> and inserting
- 4 <felony>
- 5 2. Page 2, line 2, by striking <crime> and inserting
- 6 <felony>
- 7 3. Page 2, line 20, by striking <crime> and inserting
- 8 <felony>
- 9 4. Page 3, line 3, by striking <crime> and inserting
- 10 <felony>
- 11 5. Page 3, line 21, by striking <crime> and inserting
- 12 <felony>
- 13 6. Page 4, line 4, by striking <crime> and inserting
- 14 <felony>
- 15 7. Page 5, line 6, by striking <crime> and inserting
- 16 <felony>

JIM CARLIN

S-3167

- 1 Amend House File 690, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 11, after line 18 by inserting:
- 4 <c. Age-appropriate universal behavioral health screenings
- 5 beginning July 1, 2021, based upon recommendations from the
- 6 children's system state board universal behavioral health
- 7 screenings work group.>

ROBERT M. HOGG

S-3168

HOUSE AMENDMENT TO
SENATE FILE 302

- 1 Amend Senate File 302, as amended, passed, and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 1, lines 5 and 6, by striking <all dynamic driving
- 4 tasks> and inserting <the entire dynamic driving task>
- 5 2. Page 1, line 13, by striking <all dynamic driving tasks>
- 6 and inserting <the entire dynamic driving task>
- 7 3. Page 1, line 18, by striking <any> and inserting <all>

- 8 4. Page 1, line 19, by striking <function> and inserting
9 <functions>
- 10 5. Page 1, line 27, by striking <any> and inserting <the
11 entire>
- 12 6. Page 2, line 18, by striking <any> and inserting <the
13 entire>
- 14 7. Page 2, line 24, by striking <dynamic driving tasks> and
15 inserting <the dynamic driving task>
- 16 8. Page 2, line 33, by striking <all dynamic driving tasks>
17 and inserting <the entire dynamic driving task>
- 18 9. Page 3, line 3, after <321.174> by inserting <and shall
19 be subject to the financial liability coverage requirements and
20 penalties set forth under section 321.20B>
- 21 10. Page 3, line 12, by striking <dynamic driving tasks> and
22 inserting <the dynamic driving task>
- 23 11. Page 3, line 20, by striking <dynamic driving tasks> and
24 inserting <the dynamic driving task>
- 25 12. Page 3, by striking lines 22 through 32 and inserting:
26 <Before a system-equipped vehicle is allowed to operate
27 on the public highways of this state, the owner shall
28 obtain financial liability coverage for the vehicle. A
29 system-equipped vehicle shall not operate on the highways of
30 this state unless financial liability coverage is in effect for
31 the vehicle and unless proof of financial liability coverage is
32 carried in the vehicle pursuant to section 321.20B.>
- 33 13. Page 4, by striking lines 12 through 17 and inserting
34 <sections 321.261 through 321.273, as applicable.>

S-3169HOUSE AMENDMENT TO
SENATE FILE 563

- 1 Amend Senate File 563, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 4, line 8, by striking <2020> and inserting <2019>

S-3170HOUSE AMENDMENT TO
SENATE FILE 188

- 1 Amend Senate File 188, as passed by the Senate, as follows:
2 1. Page 1, by striking line 31 and inserting:
3 <1. Notwithstanding subsection 2, the governing board of a
4 university under the control of>
5 2. Page 2, after line 9 by inserting:
6 <2. This section shall not apply to any policy or rule
7 adopted or enforced by the governing board of a university
8 under the control of the state board of regents as provided in
9 chapter 262 or a community college under the jurisdiction of
10 a board of directors for a merged area as provided in chapter

11 260C that prohibits persons who have been convicted of a felony
12 from carrying, transporting, or possessing a dangerous weapon
13 that directs an electric current, impulse, wave, or beam that
14 produces a high-voltage pulse designed to immobilize a person
15 in the buildings or on the grounds of such a university or
16 community college.>
17 3. By renumbering, redesignating, and correcting internal
18 references as necessary.

S-3171

HOUSE AMENDMENT TO
SENATE FILE 609

1 Amend Senate File 609, 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 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
7 GENERAL APPROPRIATION

8 Section 1. GENERAL FUND — DEPARTMENT.

9 1. There is appropriated from the general fund of the state
10 to the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 2019, and ending June 30, 2020,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For purposes of supporting the department, including its
15 divisions, for administration, regulation, and programs; for
16 salaries, support, maintenance, and miscellaneous purposes; and
17 for not more than the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 18 | \$ | 18,623,339 |
| 19 | FTEs | 372.00 |

20 2. Of the amount appropriated in subsection 1, the following
21 amount is transferred to Iowa state university of science and
22 technology, to be used for the university's midwest grape and
23 wine industry institute:

| | | |
|----------|----|---------|
| 24 | \$ | 288,000 |
|----------|----|---------|

25 3. The department shall submit a report each quarter of the
26 fiscal year to the legislative services agency, the department
27 of management, the members of the joint appropriations
28 subcommittee on agriculture and natural resources, and the
29 chairpersons and ranking members of the senate and house
30 committees on appropriations. The report shall describe in
31 detail the expenditure of moneys appropriated in this section
32 to support the department's administration, regulation, and
33 programs.

34 DESIGNATED APPROPRIATIONS
35 MISCELLANEOUS FUNDS

Page 2

1 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
 2 HORSE AND DOG RACING. There is appropriated from the moneys
 3 available under section 99D.13 to the department of agriculture
 4 and land stewardship for the fiscal year beginning July 1,
 5 2019, and ending June 30, 2020, the following amount, or so
 6 much thereof as is necessary, to be used for the purposes
 7 designated:

8 For purposes of supporting the department's administration
 9 and enforcement of horse and dog racing law pursuant to section
 10 99D.22, including for salaries, support, maintenance, and
 11 miscellaneous purposes:

12 \$ 305,516

13 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
 14 FUEL INSPECTION. There is appropriated from the renewable
 15 fuel infrastructure fund created in section 159A.16 to the
 16 department of agriculture and land stewardship for the fiscal
 17 year beginning July 1, 2019, and ending June 30, 2020, the
 18 following amount, or so much thereof as is necessary, to be
 19 used for the purposes designated:

20 For purposes of the inspection of motor fuel, including
 21 salaries, support, maintenance, and miscellaneous purposes:

22 \$ 500,000

23 SPECIAL APPROPRIATIONS

24 GENERAL FUND

25 Sec. 4. DAIRY REGULATION.

26 1. There is appropriated from the general fund of the state
 27 to the department of agriculture and land stewardship for the
 28 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 29 the following amount, or so much thereof as is necessary, to be
 30 used for the purposes designated:

31 For purposes of performing functions pursuant to section
 32 192.109, including conducting a survey of grade "A" milk and
 33 certifying the results to the secretary of agriculture:

34 \$ 189,196

35 2. Notwithstanding section 8.33, moneys appropriated in

Page 3

1 this section that remain unencumbered or unobligated at the
 2 close of the fiscal year shall not revert but shall remain
 3 available to be used for the purposes designated until the
 4 close of the succeeding fiscal year.

5 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

6 1. There is appropriated from the general fund of the state
 7 to the department of agriculture and land stewardship for the
 8 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 9 the following amount, or so much thereof as is necessary, to be
 10 used for the purposes designated:

11 For purposes of supporting the local food and farm program

12 pursuant to chapter 267A:
13 \$ 75,000
14 2. The department shall enter into a cost-sharing agreement
15 with Iowa state university of science and technology to support
16 the local food and farm program coordinator position as part of
17 the university's cooperative extension service in agriculture
18 and home economics pursuant to chapter 267A.
19 3. Notwithstanding section 8.33, moneys appropriated in
20 this section that remain unencumbered or unobligated at the
21 close of the fiscal year shall not revert but shall remain
22 available to be used for the purposes designated until the
23 close of the succeeding fiscal year.
24 Sec. 6. AGRICULTURAL EDUCATION.
25 1. There is appropriated from the general fund of the state
26 to the department of agriculture and land stewardship for the
27 fiscal year beginning July 1, 2019, and ending June 30, 2020,
28 the following amount, or so much thereof as is necessary, to be
29 used for the purposes designated:
30 For purposes of allocating moneys to an Iowa association
31 affiliated with a national organization which promotes
32 agricultural education providing for future farmers:
33 \$ 25,000
34 2. Notwithstanding section 8.33, moneys appropriated in
35 this section that remain unencumbered or unobligated at the

Page 4

1 close of the fiscal year shall not revert but shall remain
2 available to be used for the purposes designated until the
3 close of the succeeding fiscal year.
4 Sec. 7. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.
5 There is appropriated from the general fund of the state to the
6 department of agriculture and land stewardship for the fiscal
7 year beginning July 1, 2019, and ending June 30, 2020, the
8 following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:
10 For deposit in the foreign animal disease preparedness and
11 response fund created in section 163.3B:
12 \$ 500,000
13 DIVISION II
14 GENERAL FUND
15 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
16 WATER QUALITY INITIATIVE
17 Sec. 8. WATER QUALITY INITIATIVE — GENERAL.
18 1. There is appropriated from the general fund of the state
19 to the department of agriculture and land stewardship for the
20 fiscal year beginning July 1, 2019, and ending June 30, 2020,
21 the following amount, or so much thereof as is necessary, to be
22 used for the purposes designated:
23 For deposit in the water quality initiative fund created in
24 section 466B.45, for purposes of supporting the water quality
25 initiative administered by the division of soil conservation

26 and water quality as provided in section 466B.42, including
27 salaries, support, maintenance, and miscellaneous purposes:
28 \$ 3,000,000
29 2. The moneys appropriated in subsection 1 shall be
30 used to support projects in subwatersheds as designated by the
31 division that are part of high-priority watersheds identified
32 by the water resources coordinating council established
33 pursuant to section 466B.3.
34 b. The moneys appropriated in subsection 1 shall be used to
35 support projects in watersheds generally, including regional

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1 watersheds, as designated by the division and high-priority
2 watersheds identified by the water resources coordinating
3 council established pursuant to section 466B.3.
4 3. In supporting projects in subwatersheds and watersheds
5 as provided in subsection 2, all of the following shall apply:
6 a. The demonstration projects shall utilize water quality
7 practices as described in the Iowa nutrient reduction strategy
8 as defined in section 455B.171.
9 b. The division shall implement demonstration projects as
10 provided in paragraph “a” by providing for participation by
11 persons who hold a legal interest in agricultural land used in
12 farming. To every extent practical, the division shall provide
13 for collaborative participation by such persons who hold a
14 legal interest in agricultural land located within the same
15 subwatershed.
16 c. The division shall implement a demonstration project on
17 a cost-share basis as determined by the division. However,
18 except for edge-of-field practices, the state’s share of the
19 amount shall not exceed 50 percent of the estimated cost of
20 establishing the practice as determined by the division or
21 50 percent of the actual cost of establishing the practice,
22 whichever is less.
23 d. The demonstration projects shall be used to educate other
24 persons about the feasibility and value of establishing similar
25 water quality practices. The division shall promote field day
26 events for purposes of allowing interested persons to establish
27 water quality practices on their agricultural land.
28 e. The division shall conduct water quality evaluations
29 within supported subwatersheds. Within a reasonable period
30 after accumulating information from such evaluations, the
31 division shall create an aggregated database of water quality
32 practices. Any information identifying a person holding a
33 legal interest in agricultural land or specific agricultural
34 land shall be a confidential record under section 22.7.
35 4. The moneys appropriated in subsection 1 shall be used

Page 6

1 to support education and outreach in a manner that encourages

2 persons who hold a legal interest in agricultural land used for
3 farming to implement water quality practices, including the
4 establishment of such practices in watersheds generally, and
5 not limited to subwatersheds or high-priority watersheds.

6 5. The moneys appropriated in subsection 1 may be used
7 to contract with persons to coordinate the implementation of
8 efforts provided in this section.

9 6. The moneys appropriated in subsection 1 may be used by
10 the department to support urban soil and water conservation
11 efforts, which may include but are not limited to management
12 practices related to bioretention, landscaping, the use of
13 permeable or pervious pavement, and soil quality restoration.
14 The moneys shall be allocated on a cost-share basis as provided
15 in chapter 161A.

16 7. Notwithstanding any other provision of law to the
17 contrary, the department may use moneys appropriated in
18 subsection 1 to carry out the provisions of this section on a
19 cost-share basis in combination with other moneys available to
20 the department from a state or federal source.

21 8. Not more than 10 percent of the moneys appropriated in
22 this section may be used to pay for the costs of administering
23 and implementing the water quality initiative by the
24 department's division of soil conservation and water quality as
25 provided in section 466B.42 and this section.

26 DIVISION III

27 DEPARTMENT OF NATURAL RESOURCES

28 Sec. 9. GENERAL FUND — DEPARTMENT.

29 1. There is appropriated from the general fund of the state
30 to the department of natural resources for the fiscal year
31 beginning July 1, 2019, and ending June 30, 2020, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For purposes of supporting the department, including its
35 divisions, for administration, regulation, and programs; for

Page 7

| | |
|---|---------------|
| 1 salaries, support, maintenance, and miscellaneous purposes; and | |
| 2 for not more than the following full-time equivalent positions: | |
| 3 | \$ 12,054,987 |
| 4 FTEs | 1,145.95 |

5 2. Of the amount appropriated in subsection 1, not more
6 than \$250,000 shall be allocated exclusively to support three
7 additional park rangers constituting three full-time equivalent
8 positions from the full-time equivalent positions authorized
9 in this section. On June 30, 2020, any unencumbered or
10 unobligated moneys from the moneys allocated to support the
11 three full-time equivalent positions identified under this
12 subsection shall revert to the general fund of the state.

13 3. Of the number of full-time equivalent positions
14 authorized to the department pursuant to subsection 1, 50.00
15 full-time equivalent positions shall be allocated by the

16 department for seasonal employees for purposes of providing
17 maintenance, upkeep, and sanitary services at state parks.
18 This subsection shall not impact park ranger or park manager
19 positions within the department.

20 4. The department shall submit a report each quarter of the
21 fiscal year to the legislative services agency, the department
22 of management, the members of the joint appropriations
23 subcommittee on agriculture and natural resources, and the
24 chairpersons and ranking members of the senate and house
25 committees on appropriations. The report shall describe in
26 detail the expenditure of moneys appropriated under this
27 section to support the department's administration, regulation,
28 and programs.

29 Sec. 10. STATE FISH AND GAME PROTECTION FUND — REGULATION
30 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

31 1. There is appropriated from the state fish and game
32 protection fund created pursuant to section 456A.17 to the
33 department of natural resources for the fiscal year beginning
34 July 1, 2019, and ending June 30, 2020, the following amount,
35 or so much thereof as is necessary, to be used for the purposes

Page 8

1 designated:

2 For purposes of supporting the regulation or advancement of
3 hunting, fishing, or trapping, or the protection, propagation,
4 restoration, management, or harvest of fish or wildlife,
5 including for administration, regulation, law enforcement, and
6 programs; and for salaries, support, maintenance, equipment,
7 and miscellaneous purposes:

8 \$ 44,007,044

9 2. Notwithstanding section 455A.10, the department may use
10 the unappropriated balance remaining in the state fish and game
11 protection fund to provide for the funding of health and life
12 insurance premium payments from unused sick leave balances of
13 conservation peace officers employed in a protection occupation
14 who retire, pursuant to section 97B.49B.

15 3. Notwithstanding section 455A.10, the department of
16 natural resources may use the unappropriated balance remaining
17 in the state fish and game protection fund for the fiscal
18 year beginning July 1, 2019, and ending June 30, 2020, as is
19 necessary to fund salary adjustments for departmental employees
20 for which the general assembly has made an operating budget
21 appropriation in subsection 1.

22 Sec. 11. GROUNDWATER PROTECTION FUND — WATER
23 QUALITY. There is appropriated from the groundwater protection
24 fund created in section 455E.11 to the department of natural
25 resources for the fiscal year beginning July 1, 2019,
26 and ending June 30, 2020, from those moneys which are not
27 allocated pursuant to that section, the following amount, or
28 so much thereof as is necessary, to be used for the purposes
29 designated:

30 For purposes of supporting the department's protection
 31 of the state's groundwater, including for administration,
 32 regulation, and programs, and for salaries, support,
 33 maintenance, equipment, and miscellaneous purposes:
 34 \$ 3,455,832
 35 DESIGNATED APPROPRIATIONS

Page 9

1 MISCELLANEOUS FUNDS
 2 Sec. 12. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
 3 PROGRAM. There is appropriated from the special snowmobile
 4 fund created under section 321G.7 to the department of natural
 5 resources for the fiscal year beginning July 1, 2019, and
 6 ending June 30, 2020, the following amount, or so much thereof
 7 as is necessary, to be used for the purpose designated:
 8 For purposes of administering and enforcing the state
 9 snowmobile programs:
 10 \$ 100,000
 11 Sec. 13. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
 12 TANKS SECTION EXPENSES. There is appropriated from the
 13 unassigned revenue fund administered by the Iowa comprehensive
 14 petroleum underground storage tank fund board established
 15 pursuant to section 455G.4 to the department of natural
 16 resources for the fiscal year beginning July 1, 2019, and
 17 ending June 30, 2020, the following amount, or so much thereof
 18 as is necessary, to be used for the purpose designated:
 19 For purposes of paying for administration expenses of the
 20 department's underground storage tanks section:
 21 \$ 200,000
 22 SPECIAL APPROPRIATIONS
 23 GENERAL FUND
 24 Sec. 14. FLOODPLAIN MANAGEMENT AND DAM SAFETY.
 25 1. There is appropriated from the general fund of the state
 26 to the department of natural resources for the fiscal year
 27 beginning July 1, 2019, and ending June 30, 2020, the following
 28 amount, or so much thereof as is necessary, to be used for the
 29 purpose designated:
 30 For purposes of supporting floodplain management and dam
 31 safety:
 32 \$ 1,510,000
 33 2. Of the amount appropriated in subsection 1, up to
 34 \$400,000 may be used by the department to acquire or install
 35 stream gages for purposes of tracking and predicting flood

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1 events and for compiling necessary data to improve flood
 2 frequency analysis.
 3 3. Notwithstanding section 8.33, moneys appropriated in
 4 subsection 1 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 until the
7 close of the succeeding fiscal year.

8 Sec. 15. FORESTRY HEALTH MANAGEMENT.

9 1. There is appropriated from the general fund of the state
10 to the department of natural resources for the fiscal year
11 beginning July 1, 2019, and ending June 30, 2020, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purposes designated:

14 For purposes of providing for forestry health management
15 programs:

16 \$ 500,000

17 2. Notwithstanding section 8.33, moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available to be used for the purposes designated until the
21 close of the succeeding fiscal year.

22 DIVISION IV

23 IOWA STATE UNIVERSITY

24 SPECIAL GENERAL FUND APPROPRIATION

25 VETERINARY DIAGNOSTIC LABORATORY

26 Sec. 16. VETERINARY DIAGNOSTIC LABORATORY.

27 1. There is appropriated from the general fund of the state
28 to Iowa state university of science and technology for the
29 fiscal year beginning July 1, 2019, and ending June 30, 2020,
30 the following amount, or so much thereof as is necessary, to be
31 used for the purposes designated:

32 For purposes of supporting the college of veterinary
33 medicine for the operation of the veterinary diagnostic
34 laboratory and for not more than the following full-time
35 equivalent positions:

Page 11

1 \$ 4,300,000
2 FTEs 51.00

3 2. a. Iowa state university of science and technology
4 shall not reduce the amount that it allocates to support the
5 college of veterinary medicine from any other source due to the
6 appropriation made in this section.

7 b. Paragraph "a" does not apply to a reduction made to
8 support the college of veterinary medicine, if the same
9 percentage of reduction imposed on the college of veterinary
10 medicine is also imposed on all of Iowa state university of
11 science and technology's budget units.

12 3. If by June 30, 2020, Iowa state university of science and
13 technology fails to allocate the moneys appropriated in this
14 section to the college of veterinary medicine in accordance
15 with this section, the moneys appropriated in this section for
16 that fiscal year shall revert to the general fund of the state.

17 DIVISION V

18 STATE UNIVERSITY OF IOWA

19 SPECIAL GENERAL FUND APPROPRIATIONS

20 FARM AND RURAL HEALTH
21 Sec. 17. IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH
22 (I-CASH).
23 1. There is appropriated from the general fund of the state
24 to the state university of Iowa for the fiscal year beginning
25 July 1, 2019, and ending June 30, 2020, the following amount,
26 or so much thereof as is necessary, to be used for the purposes
27 designated:
28 For supporting the operations of Iowa's center for
29 agricultural safety and health, as part of the university's
30 college of public health, and in cooperation with the
31 department of agriculture and land stewardship, to anticipate,
32 recognize, and prevent occupational illness and injury among
33 members of the agricultural community:
34 \$ 130,000
35 2. As a condition of the appropriation in subsection 1,

Page 12

1 the state university of Iowa shall retain the director of
2 Iowa's center for agricultural safety and health employed on
3 the effective date of this Act for at least the same number of
4 hours for the fiscal year beginning July 1, 2019, as worked by
5 the director during the fiscal year beginning July 1, 2018.
6 Sec. 18. FARMERS WITH DISABILITIES PROGRAM.
7 1. There is appropriated from the general fund of the state
8 to the state university of Iowa for the fiscal year beginning
9 July 1, 2019, and ending June 30, 2020, the following amount,
10 or so much thereof as is necessary, to be used for the purposes
11 designated:
12 For purposes of supporting a program for farmers with
13 disabilities:
14 \$ 200,000
15 2. The moneys appropriated in subsection 1 shall be used for
16 the public purpose of providing a grant to a national nonprofit
17 organization with over 80 years of experience in assisting
18 children and adults with disabilities and special needs. The
19 moneys shall be used to support a nationally recognized program
20 that began in 1986 and has been replicated in at least 30 other
21 states, but which is not available through any other entity
22 in this state, and that provides assistance to farmers with
23 disabilities in all 99 counties to allow the farmers to remain
24 in their own homes and be gainfully engaged in farming through
25 provision of agricultural worksite and home modification
26 consultations, peer support services, services to families,
27 information and referral, and equipment loan services.
28 3. Notwithstanding section 8.33, moneys appropriated in
29 this section that remain unencumbered or unobligated at the
30 close of the fiscal year shall not revert but shall remain
31 available for expenditure for the purposes designated until the
32 close of the succeeding fiscal year.
33 Sec. 19. USE OF MONEYS.

34 1. The state university of Iowa shall not reduce the amount
35 allocated to support Iowa's center for agricultural safety or

Page 13

1 health or the program for farmers disabilities from any other
2 source due to the appropriation made in this division of this
3 Act.
4 2. If by June 30, 2020, the state university of Iowa fails
5 to use the moneys appropriated in a section of this division
6 of this Act in accordance with purposes and conditions of that
7 section, any unencumbered and unobligated moneys appropriated
8 in that section for the fiscal year beginning July 1, 2019,
9 and ending June 30, 2020, shall revert to the general fund
10 of the state. In addition, if moneys are required to be
11 reverted pursuant to this subsection, the state university of
12 Iowa shall transfer to the general fund from any otherwise
13 unencumbered and unobligated moneys from any other general
14 fund appropriation or from any moneys available from other
15 funding sources an amount equal to the amount appropriated in
16 the applicable section of this division of this Act less any
17 amount reverted to the general fund of the state pursuant to
18 this subsection.

19 DIVISION VI
20 ENVIRONMENT FIRST FUND
21 GENERAL APPROPRIATIONS

22 Sec. 20. DEPARTMENT OF AGRICULTURE AND LAND
23 STEWARDSHIP. There is appropriated from the environment first
24 fund created in section 8.57A to the department of agriculture
25 and land stewardship for the fiscal year beginning July 1,
26 2019, and ending June 30, 2020, the following amounts, or so
27 much thereof as is necessary, to be used for the purposes
28 designated:

29 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

30 a. For the conservation reserve enhancement program to
31 restore and construct wetlands for the purposes of intercepting
32 tile line runoff, reducing nutrient loss, improving water
33 quality, and enhancing agricultural production practices:

34 \$ 1,000,000
35 b. Not more than 10 percent of the moneys appropriated

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1 in paragraph "a" may be used for costs of administration and
2 implementation of soil and water conservation practices.
3 c. Notwithstanding any other provision in law, the
4 department may use moneys appropriated in this subsection,
5 in combination with other appropriate environment first
6 fund appropriations, for cost sharing to match United States
7 department of agriculture, natural resources conservation
8 service, wetlands reserve enhancement program (WREP) funding
9 available to Iowa.

10 2. WATERSHED PROTECTION

11 a. For continuation of a program that provides
 12 multiobjective resource protections for flood control, water
 13 quality, erosion control, and natural resource conservation:
 14 \$ 900,000

15 b. Not more than 10 percent of the moneys appropriated
 16 in paragraph "a" may be used for costs of administration and
 17 implementation of soil and water conservation practices.

18 3. SOIL AND WATER CONSERVATION — ADMINISTRATION

19 a. For use by the department for costs of administration and
 20 implementation of soil and water conservation practices:
 21 \$ 3,800,000

22 b. Of the moneys appropriated in paragraph "a", \$150,000
 23 is allocated to support field staff providing technical
 24 assistance.

25 4. CONSERVATION RESERVE PROGRAM (CRP)

26 a. To encourage and assist farmers in enrolling in and the
 27 implementation of the federal conservation reserve program and
 28 to work with them to enhance their revegetation efforts to
 29 improve water quality and habitat:
 30 \$ 900,000

31 b. Not more than 10 percent of the moneys appropriated
 32 in paragraph "a" may be used for costs of administration and
 33 implementation of soil and water conservation practices.

34 5. SOIL AND WATER CONSERVATION

35 a. For use by the department in providing for soil and water

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1 conservation:
 2 \$ 8,325,000

3 b. (1) Of the amount appropriated in paragraph "a", for
 4 transfer to the loess hills development and conservation fund
 5 created in section 161D.2:
 6 \$ 490,000

7 (2) (a) Of the amount transferred to the loess hills
 8 development and conservation fund in subparagraph (1), \$450,000
 9 shall be allocated to the fund's hungry canyons account.

10 (b) Not more than 10 percent of the moneys allocated to
 11 the fund's hungry canyons account as provided in subparagraph
 12 division (a) may be used for administrative costs.

13 (3) (a) Of the amount transferred to the loess hills
 14 development and conservation fund in subparagraph (1), \$40,000
 15 shall be allocated to the fund's loess hills alliance account.

16 (b) Not more than 10 percent of the moneys allocated to the
 17 fund's loess hills alliance account as provided in subparagraph
 18 division (a) may be used for administrative costs.

19 c. Of the remaining amount appropriated in paragraph "a",
 20 for use by the department in providing for soil and water
 21 conservation administration, the conservation of soil and
 22 water resources, or the support of soil and water conservation
 23 districts:

24 \$ 7,835,000
25 d. Of the amount appropriated in paragraph "c" that the
26 department allocates to a soil and water conservation district,
27 the first \$15,000 may be expended by the district for the
28 purpose of providing financial incentives under section 161A.73
29 to establish management practices for the control of soil
30 erosion on land that is row-cropped, including but not limited
31 to nontill planting, ridge-till planting, and contouring
32 strip-cropping. Of any remaining amount of that appropriation
33 allocated by the department to a district, 30 percent may be
34 expended by the district for that same purpose.
35 e. Not more than 5 percent of the moneys appropriated in

Page 16

1 paragraph "c" may be allocated for cost sharing to address
2 complaints filed under section 161A.47.
3 f. Of the moneys appropriated in paragraph "c", 5 percent
4 shall be allocated for financial incentives to establish
5 practices to protect watersheds above publicly owned lakes of
6 the state from soil erosion and sediment as provided in section
7 161A.73.
8 g. The state soil conservation and water quality committee
9 established by section 161A.4 may allocate moneys appropriated
10 in paragraph "c" to conduct research and demonstration projects
11 to promote conservation tillage and nonpoint source pollution
12 control practices.
13 h. The allocation of moneys as financial incentives as
14 provided in section 161A.73 may be used in combination with
15 moneys allocated by the department of natural resources.
16 i. Not more than 15 percent of the moneys appropriated
17 in paragraph "c" may be used for costs of administration and
18 implementation of soil and water conservation practices.
19 Sec. 21. DEPARTMENT OF NATURAL RESOURCES. There is
20 appropriated from the environment first fund created in section
21 8.57A to the department of natural resources for the fiscal
22 year beginning July 1, 2019, and ending June 30, 2020, the
23 following amounts, or so much thereof as is necessary, to be
24 used for the purposes designated:
25 1. STATE PARKS MAINTENANCE AND OPERATIONS
26 a. For regular maintenance and operations of state parks and
27 staff time associated with these activities:
28 \$ 6,235,000
29 b. Of the amount appropriated in paragraph "a", up to
30 \$100,000 shall be allocated for statewide coordination of
31 volunteer efforts.
32 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)
33 To provide local watershed managers with geographic
34 information system data for their use in developing,
35 monitoring, and displaying results of their watershed work:

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| | | | |
|----|---|----|-----------|
| 1 | | \$ | 195,000 |
| 2 | 3. WATER QUALITY MONITORING | | |
| 3 | For continuing the establishment and operation of water | | |
| 4 | quality monitoring stations: | | |
| 5 | ..... | \$ | 2,955,000 |
| 6 | 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT | | |
| 7 | For deposit in the public water supply system account of the | | |
| 8 | water quality protection fund created in section 455B.183A: | | |
| 9 | ..... | \$ | 500,000 |
| 10 | 5. REGULATION OF ANIMAL FEEDING OPERATIONS | | |
| 11 | For the regulation of animal feeding operations, including | | |
| 12 | as provided for in chapters 459, 459A, and 459B: | | |
| 13 | ..... | \$ | 1,320,000 |
| 14 | 6. AMBIENT AIR QUALITY | | |
| 15 | For the abatement, control, and prevention of ambient | | |
| 16 | air pollution in this state, including measures as necessary | | |
| 17 | to assure attainment and maintenance of ambient air quality | | |
| 18 | standards from particulate matter: | | |
| 19 | ..... | \$ | 425,000 |
| 20 | 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY | | |
| 21 | For supporting floodplain management and dam safety: | | |
| 22 | ..... | \$ | 375,000 |
| 23 | Sec. 22. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL | | |
| 24 | SURVEY. There is appropriated from the environment first | | |
| 25 | fund created in section 8.57A to the state university of Iowa | | |
| 26 | for the fiscal year beginning July 1, 2019, and ending June | | |
| 27 | 30, 2020, the following amounts, or so much thereof as is | | |
| 28 | necessary, to be used for the purposes designated: | | |
| 29 | 1. OPERATIONS | | |
| 30 | For purposes of supporting the operations of the Iowa | | |
| 31 | geological survey of the state as created within the state | | |
| 32 | university of Iowa pursuant to section 456.1, including but not | | |
| 33 | limited to providing analysis; data maintenance, collection, | | |
| 34 | and compilation; investigative programs; and information for | | |
| 35 | water supply development and protection: | | |

Page 18

| | | | |
|----|--|----|---------|
| 1 | ..... | \$ | 200,000 |
| 2 | 2. WATER RESOURCE MANAGEMENT | | |
| 3 | For purposes of supporting the Iowa geological survey in | | |
| 4 | measuring, assessing, and evaluating the quantity of water | | |
| 5 | sources in this state and assisting the department of natural | | |
| 6 | resources in regulating water quantity as provided in chapter | | |
| 7 | 455B, division III, part 4, pursuant to sections 455B.262B and | | |
| 8 | 456.14: | | |
| 9 | ..... | \$ | 495,000 |
| 10 | Sec. 23. REVERSION. | | |
| 11 | 1. a. Except as provided in paragraph “b”, and | | |
| 12 | notwithstanding section 8.33, moneys appropriated for the | | |

13 fiscal year beginning July 1, 2019, in this division of this
 14 Act that remain unencumbered or unobligated at the close of the
 15 fiscal year shall not revert but instead shall remain available
 16 to be used for the purposes designated until the close of the
 17 succeeding fiscal year, or until the project for which the
 18 appropriation was made is completed, whichever is earlier.

19 b. Notwithstanding section 8.33, moneys appropriated for
 20 the fiscal year beginning July 1, 2019, in this division of
 21 this Act to the department of agriculture and land stewardship
 22 to provide financial assistance for the establishment of
 23 permanent soil and water conservation practices that remain
 24 unencumbered or unobligated at the close of the fiscal year
 25 shall not revert but instead shall remain available for
 26 expenditure for the purposes designated until the close of the
 27 fiscal year beginning July 1, 2022.

28 2. Subsection 1 does not apply to moneys transferred
 29 pursuant to this division to the loess hills development and
 30 conservation fund created in section 161D.2 which shall not
 31 revert as provided in that section.

32 DIVISION VII

33 ENVIRONMENT FIRST FUND

34 SPECIAL APPROPRIATIONS

35 Sec. 24. WATER QUALITY INITIATIVE — DEPARTMENT OF

Page 19

1 AGRICULTURE AND LAND STEWARDSHIP.

2 1. There is appropriated from the environment first fund
 3 created in section 8.57A to the department of agriculture
 4 and land stewardship for the fiscal year beginning July 1,
 5 2019, and ending June 30, 2020, the following amount, or so
 6 much thereof as is necessary, to be used for the purposes
 7 designated:

8 For deposit in the water quality initiative fund created in
 9 section 466B.45, for purposes of supporting the water quality
 10 initiative administered by the division of soil conservation
 11 and water quality as provided in section 466B.42, including
 12 salaries, support, maintenance, and miscellaneous purposes:

13 \$ 2,375,000

14 2. a. The moneys appropriated in subsection 1 shall be
 15 used to support projects in subwatersheds as designated by the
 16 division that are part of high-priority watersheds identified
 17 by the water resources coordinating council established
 18 pursuant to section 466B.3.

19 b. The moneys appropriated in subsection 1 shall be used to
 20 support projects in watersheds generally, including regional
 21 watersheds, as designated by the division and high-priority
 22 watersheds identified by the water resources coordinating
 23 council established pursuant to section 466B.3.

24 3. In supporting projects in subwatersheds and watersheds
 25 as provided in subsection 2, all of the following shall apply:

26 a. The demonstration projects shall utilize water quality

27 practices as described in the Iowa nutrient reduction strategy
28 as defined in section 455B.171.
29 b. The division shall implement demonstration projects as
30 provided in paragraph "a" by providing for participation by
31 persons who hold a legal interest in agricultural land used in
32 farming. To every extent practical, the division shall provide
33 for collaborative participation by such persons who hold a
34 legal interest in agricultural land located within the same
35 subwatershed.

Page 20

1 c. The division shall implement a demonstration project on
2 a cost-share basis as determined by the division. However,
3 except for edge-of-field practices, the state's share of the
4 amount shall not exceed 50 percent of the estimated cost of
5 establishing the practice as determined by the division or
6 50 percent of the actual cost of establishing the practice,
7 whichever is less.
8 d. The demonstration projects shall be used to educate other
9 persons about the feasibility and value of establishing similar
10 water quality practices. The division shall promote field day
11 events for purposes of allowing interested persons to establish
12 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 under section 22.7.
20 4. The moneys appropriated in subsection 1 shall be used
21 to support education and outreach in a manner that encourages
22 persons who hold a legal interest in agricultural land used for
23 farming to implement water quality practices, including the
24 establishment of such practices in watersheds generally, and
25 not limited to subwatersheds or high-priority watersheds.
26 5. The moneys appropriated in subsection 1 may be used
27 to contract with persons to coordinate the implementation of
28 efforts provided in this section.
29 6. The moneys appropriated in subsection 1 may be used by
30 the department to support urban soil and water conservation
31 efforts, which may include but are not limited to management
32 practices related to bioretention, landscaping, the use of
33 permeable or pervious pavement, and soil quality restoration.
34 The moneys shall be allocated on a cost-share basis as provided
35 in chapter 161A.

Page 21

1 7. Notwithstanding any other provision of law to the
2 contrary, the department may use moneys appropriated in

3 subsection 1 to carry out the provisions of this section on a
4 cost-share basis in combination with other moneys available to
5 the department from a state or federal source.

6 8. Not more than 10 percent of the moneys appropriated in
7 this section may be used to pay for the costs of administering
8 and implementing the water quality initiative by the
9 department's division of soil conservation and water quality as
10 provided in section 466B.42 and this section.

11 DIVISION VIII

12 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

13 Sec. 25. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
14 lieu of the standing appropriation in section 455A.18, there is
15 appropriated from the environment first fund created in section
16 8.57A to the Iowa resources enhancement and protection fund
17 for the fiscal year beginning July 1, 2019, and ending June
18 30, 2020, the following amount, to be allocated as provided in
19 section 455A.19:

20 \$ 12,000,000

21 Sec. 26. REAP — OPEN SPACES ACCOUNT — STATE PARK
22 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
23 subsection 1, paragraph “a”, subparagraph (1), of the moneys
24 allocated to the open spaces account of the Iowa resources
25 enhancement and protection fund, up to \$1,000,000 may be
26 used by the department of natural resources for state park
27 maintenance and repair for the fiscal year beginning July 1,
28 2019, and ending on June 30, 2020.

29 Sec. 27. REAP — OPEN SPACES ACCOUNT — FLOOD DAMAGE REPAIR,
30 RESTORATION, OR REHABILITATION.

31 1. Notwithstanding section 455A.19, subsection 1, paragraph
32 “a”, subparagraph (1), of the moneys allocated to the open
33 spaces account of the Iowa resources enhancement and protection
34 fund, any amount in that account that is unencumbered and
35 unobligated on the effective date of this section, are

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1 appropriated to the department of natural resources for the
2 repair, restoration, or rehabilitation of property under the
3 jurisdiction or control of the department, including such
4 property located in southwestern Iowa, that has been damaged
5 by flood waters, for the fiscal year beginning July 1, 2018,
6 and ending June 30, 2019.

7 2. Nothing in this section requires the department to expend
8 any or a certain amount of moneys appropriated in subsection 1
9 for the purposes described in that subsection.

10 3. Notwithstanding section 8.33, moneys appropriated in
11 this section that remain unencumbered or unobligated at the
12 close of the fiscal year beginning July 1, 2018, and ending
13 June 30, 2019, shall not revert but shall remain available for
14 expenditure for the purposes designated until the close of the
15 succeeding fiscal year.

16 Sec. 28. EFFECTIVE DATE. The following, being deemed of

17 immediate importance, takes effect upon enactment:

18 1. The section of this division of this Act appropriating
19 moneys to the department of natural resources from moneys
20 allocated to the open spaces account of the Iowa resources
21 enhancement and protection fund for purposes of the repair,
22 restoration, or rehabilitation of property under the
23 jurisdiction or control of the department, for the fiscal year
24 beginning July 1, 2018, and ending June 30, 2019.

25 DIVISION IX

26 RELATED CODE CHANGES — DEPARTMENT OF AGRICULTURE AND LAND
27 STEWARDSHIP — PROGRAMS TO AUDIT MOTOR FUEL

28 Sec. 29. ~~NEW SECTION.~~ **214A.2C Auditing programs.**

29 The department shall establish and administer programs
30 for the auditing of motor fuel including biofuel processing
31 and production plants, for screening and testing motor fuel,
32 including renewable fuel, and for the inspection of motor fuel
33 sold by dealers, including retail dealers who sell and dispense
34 motor fuel from motor fuel pumps.

35 DIVISION X

Page 23

1 RELATED CODE CHANGES — STATE UNIVERSITY OF IOWA — IOWA
2 GEOLOGICAL SURVEY

3 Sec. 30. Section 352.4, subsection 4, Code 2019, is amended
4 to read as follows:

5 4. The ~~state~~ department of agriculture and land
6 stewardship, department of management, department of natural
7 resources, Iowa geological survey, state agricultural extension
8 service, and the economic development authority shall, upon
9 request, provide to each county commission any pertinent land
10 use information available to assist in the compiling of the
11 county land use inventories.

12 Sec. 31. Section 456.1, Code 2019, is amended to read as
13 follows:

14 **456.1 Geological Iowa geological survey created.**

15 ~~A~~ An Iowa geological survey of the state is created within
16 the state university of Iowa, under the jurisdiction and
17 authority of the state board of regents.

18 Sec. 32. Section 456.10, Code 2019, is amended to read as
19 follows:

20 **456.10 Distribution of reports.**

21 All publications of the Iowa geological survey shall be made
22 available electronically via an internet site maintained for
23 that purpose.

24 Sec. 33. Section 456.13, Code 2019, is amended to read as
25 follows:

26 **456.13 Maps property of state — custody — copies.**

27 The maps so delivered to the state geologist shall be the
28 property of the state and shall remain in the custody of the
29 state geologist. They shall be kept at the office of the Iowa
30 geological survey and be open to examination by all persons

31 interested in the maps; but such examination shall only be made
32 in the presence of the state geologist or a designee, and the
33 state geologist shall not permit any copies of the maps to be
34 made without the written consent of the operator or the owner
35 of the property, except as provided in section 456.11 or if the

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- 1 mine has been abandoned for at least five years.>
- 2 2. Title page, line 4, by striking <protection> and
- 3 inserting <protection, and including effective date provisions>
- 4 3. By renumbering as necessary.

S-3172

1 Amend the amendment, S-3119, to House File 692, as passed by
2 the House, as follows:

- 3 1. By striking page 14, line 10, through page 17, line 3.
- 4 2. Page 20, line 24, by striking <Political nonparty> and
- 5 inserting <~~Political nonparty~~ Nonparty political>

6 3. Page 23, after line 21 by inserting:
7 <Sec. ____ Section 47.2, subsection 2, Code 2019, is amended
8 to read as follows:

9 2. a. When an election is to be held as required by law
10 or is called by a political subdivision of the state and the
11 political subdivision is located in more than one county, the
12 county commissioner of elections of the county having the
13 greatest taxable base within the political subdivision shall
14 conduct that election. The county commissioners of elections
15 of the other counties in which the political subdivision
16 is located shall cooperate with the county commissioner of
17 elections who is conducting the election.

18 b. Notwithstanding paragraph "a", for a city primary
19 election, city runoff election or a special election for
20 a city, school district, or merged area, if a political
21 subdivision is located in more than one county, the county
22 commissioner of elections of a county not having the greatest
23 taxable base within the political subdivision may designate
24 that the controlling commissioner of the political subdivision
25 shall conduct that election if fewer than one hundred and
26 twenty-five registered voters of the political subdivision
27 are located within such county commissioner's county. If the
28 controlling commissioner is so designated, section 50.24,
29 subsections 3A and 3B, as enacted by 2017 Iowa Acts, ch. 155,
30 828, shall not apply. For the purposes of this paragraph, the
31 number of registered voters shall be the number of registered
32 voters in the political subdivision of a county not having the
33 greatest taxable base on May 1 immediately preceding the first
34 day of the filing period for candidates for the election. If
35 May 1 falls on a day when the county commissioner's office is

Page 2

1 closed for business, the county commissioner shall use the
2 number of registered voters on the next day that the county
3 commissioner's office is open for business to determine the
4 number of registered voters.>

5 4. Page 23, line 27, after <organization.> by inserting
6 <However, when a county commissioner is a candidate for
7 election, such a county commissioner may participate in an
8 absentee ballot drive or collection effort, but shall not aid
9 any other candidate, candidate's committee, political party, or
10 nonparty political organization.>

11 5. Page 31, by striking lines 25 through 27 and inserting
12 <established at a location to be described on the petition.
13 However, if a special election is>

14 6. Page 37, after line 10 by inserting:
15 <Sec. ____ Section 68A.405, subsection 1, Code 2019, is
16 amended by adding the following new paragraph:
17 NEW PARAGRAPH. i. An organization that sends a text message
18 described by this section may abbreviate the words "paid for
19 by" as "Pfb.". An organization may use the full name of the
20 organization or the last name of the candidate followed by
21 the organization's committee identification number. If the
22 organization is a political party, the name of the organization
23 may be abbreviated.>

24 7. Page 39, line 17, by striking <subsections> and inserting
25 <subsection>

26 8. By striking page 39, line 18, through page 40, line 2,
27 and inserting:

28 <NEW SUBSECTION. 3. The state registrar of voters shall
29 use>

30 9. By striking page 44, line 34, through page 45, line 23.

31 10. By renumbering, redesignating, and correcting internal
32 references as necessary.

ROBY SMITH

S-3173

1 Amend House File 759, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <DIVISION I
6 FY 2019-2020

7 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

8 1. There is appropriated from the general fund of the state
9 to the department of administrative services for the fiscal
10 year beginning July 1, 2019, and ending June 30, 2020, the
11 following amounts, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 a. For salaries, support, maintenance, and miscellaneous

14 purposes, and for not more than the following full-time
 15 equivalent positions:

| | | |
|----------|------|-----------|
| 16 | \$ | 3,616,936 |
| 17 | FTEs | 47.62 |

18 b. For the payment of utility costs, and for not more than
 19 the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 20 | \$ | 3,524,611 |
| 21 | FTEs | 1.00 |

22 Notwithstanding section 8.33, any excess moneys appropriated
 23 for utility costs in this lettered paragraph shall not revert
 24 to the general fund of the state at the end of the fiscal year
 25 but shall remain available for expenditure for the purposes of
 26 this lettered paragraph during the succeeding fiscal year.

27 c. For Terrace Hill operations, and for not more than the
 28 following full-time equivalent positions:

| | | |
|----------|------|---------|
| 29 | \$ | 386,660 |
| 30 | FTEs | 4.57 |

31 2. Any moneys and premiums collected by the department
 32 for workers' compensation shall be segregated into a separate
 33 workers' compensation fund in the state treasury to be used
 34 for payment of state employees' workers' compensation claims
 35 and administrative costs. Notwithstanding section 8.33,

Page 2

1 unencumbered or unobligated moneys remaining in this workers'
 2 compensation fund at the end of the fiscal year shall not
 3 revert but shall be available for expenditure for purposes of
 4 the fund for subsequent fiscal years.

5 3. The department shall conduct a study regarding the
 6 feasibility, timeline, and costs of developing and maintaining
 7 a searchable database available on the department's internet
 8 site containing a listing, updated annually, of real property
 9 owned or leased by the state. Real property listed in the
 10 searchable database shall be listed by location and searchable
 11 by county, address, and any other method deemed beneficial
 12 to the public. If real property listed in the searchable
 13 database is leased by the state, the searchable database shall
 14 also include the rental or lease costs of such real property.
 15 The department shall submit its findings and recommendations
 16 in a report to the general assembly and to the chairpersons
 17 and ranking members of the senate and house committees on
 18 appropriations by December 31, 2019.

19 Sec. 2. REVOLVING FUNDS. There is appropriated to the
 20 department of administrative services for the fiscal year
 21 beginning July 1, 2019, and ending June 30, 2020, from the
 22 revolving funds designated in chapter 8A and from internal
 23 service funds created by the department such amounts as the
 24 department deems necessary for the operation of the department
 25 consistent with the requirements of chapter 8A.

26 Sec. 3. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
 27 CHARGE. For the fiscal year beginning July 1, 2019, and ending

28 June 30, 2020, the monthly per contract administrative charge
29 which may be assessed by the department of administrative
30 services shall be \$2 per contract on all health insurance plans
31 administered by the department.
32 Sec. 4. AUDITOR OF STATE.
33 1. There is appropriated from the general fund of the state
34 to the office of the auditor of state for the fiscal year
35 beginning July 1, 2019, and ending June 30, 2020, the following

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1 amounts, or so much thereof as is necessary, to be used for the
2 purposes designated:
3 For salaries, support, maintenance, and miscellaneous
4 purposes, and for not more than the following full-time
5 equivalent positions:
6 \$ 986,193
7 FTEs 103.00
8 2. The auditor of state may retain additional full-time
9 equivalent positions as is reasonable and necessary to
10 perform governmental subdivision audits which are reimbursable
11 pursuant to section 11.20 or 11.21, to perform audits which are
12 requested by and reimbursable from the federal government, and
13 to perform work requested by and reimbursable from departments
14 or agencies pursuant to section 11.5A or 11.5B. The auditor
15 of state shall notify the department of management, the
16 legislative fiscal committee, and the legislative services
17 agency of the additional full-time equivalent positions
18 retained.
19 3. The auditor of state shall allocate moneys from the
20 appropriation in this section solely for audit work related to
21 the comprehensive annual financial report, federally required
22 audits, and investigations of embezzlement, theft, or other
23 significant financial irregularities until the audit of the
24 comprehensive annual financial report is complete.
25 Sec. 5. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
26 is appropriated from the general fund of the state to the
27 Iowa ethics and campaign disclosure board for the fiscal year
28 beginning July 1, 2019, and ending June 30, 2020, the following
29 amount, 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 \$ 666,001
35 FTEs 7.00

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1 Sec. 6. OFFICE OF THE CHIEF INFORMATION OFFICER.
2 1. There is appropriated from the general fund of the state
3 to the office of the chief information officer for the fiscal

4 year beginning July 1, 2019, and ending June 30, 2020, the
 5 following amount, or so much thereof as is necessary, to be
 6 used for the purposes designated:

7 For deposit in the connecting Iowa farms, schools, and
 8 communities broadband grant fund established under section
 9 8B.11 for a broadband grant program; and for salaries, support,
 10 maintenance, and miscellaneous purposes:
 11 \$ 5,000,000

12 2. There is appropriated to the office of the chief
 13 information officer for the fiscal year beginning July 1, 2019,
 14 and ending June 30, 2020, from the revolving funds designated
 15 in chapter 8B and from internal service funds created by the
 16 office such amounts as the office deems necessary for the
 17 operation of the office consistent with the requirements of
 18 chapter 8B.

19 3. a. Notwithstanding section 321A.3, subsection 1, for the
 20 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 21 the first \$750,000 collected and transferred to the treasurer
 22 of state with respect to the fees for transactions involving
 23 the furnishing of a certified abstract of a vehicle operating
 24 record under section 321A.3, subsection 1, shall be transferred
 25 to the lowAccess revolving fund created in section 8B.33 for
 26 the purposes of developing, implementing, maintaining, and
 27 expanding electronic access to government records as provided
 28 by law.

29 b. All fees collected with respect to transactions
 30 involving lowAccess shall be deposited in the lowAccess
 31 revolving fund created under section 8B.33 and shall be used
 32 only for the support of lowAccess projects.

33 Sec. 7. DEPARTMENT OF COMMERCE.

34 1. There is appropriated from the general fund of the state
 35 to the department of commerce for the fiscal year beginning

Page 5

1 July 1, 2019, and ending June 30, 2020, the following amounts,
 2 or so much thereof as is necessary, to be used for the purposes
 3 designated:

4 a. ALCOHOLIC BEVERAGES DIVISION

5 For salaries, support, maintenance, and miscellaneous
 6 purposes, and for not more than the following full-time
 7 equivalent positions:

8 \$ 1,019,556
 9 FTEs 17.25

10 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

11 For salaries, support, maintenance, and miscellaneous
 12 purposes, and for not more than the following full-time
 13 equivalent positions:

14 \$ 370,263
 15 FTEs 10.00

16 c. INSURANCE DIVISION

17 (1) For the investigation and prosecution of insurance

18 fraud by the insurance fraud bureau established in section
19 507E.2, including salaries, support, maintenance, miscellaneous
20 purposes, and for not more than the following full-time
21 equivalent positions:

| | | |
|----------|------|---------|
| 22 | \$ | 647,355 |
| 23 | FTEs | 7.00 |

24 (2) From the full-time equivalent positions authorized
25 in this paragraph, the insurance division shall use 2.00
26 full-time equivalent positions to hire two investigators within
27 the insurance fraud bureau for the investigation of workers'
28 compensation fraud, and shall use 1.00 full-time equivalent
29 position to hire one prosecuting attorney within the insurance
30 fraud bureau for the prosecution of insurance fraud pursuant
31 to section 507E.9.

32 2. There is appropriated from the department of commerce
33 revolving fund created in section 546.12 to the department of
34 commerce for the fiscal year beginning July 1, 2019, and ending
35 June 30, 2020, the following amounts, or so much thereof as is

Page 6

1 necessary, to be used for the purposes designated:

2 a. BANKING DIVISION

3 For salaries, support, maintenance, and miscellaneous
4 purposes, and for not more than the following full-time
5 equivalent positions:

| | | |
|---------|------|------------|
| 6 | \$ | 11,145,778 |
| 7 | FTEs | 80.00 |

8 b. CREDIT UNION DIVISION

9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

| | | |
|----------|------|-----------|
| 12 | \$ | 2,204,256 |
| 13 | FTEs | 15.00 |

14 c. INSURANCE DIVISION

15 (1) For salaries, support, maintenance, and miscellaneous
16 purposes, and for not more than the following full-time
17 equivalent positions:

| | | |
|----------|------|-----------|
| 18 | \$ | 5,485,889 |
| 19 | FTEs | 117.50 |

20 (2) The insurance division may reallocate authorized
21 full-time equivalent positions as necessary to respond to
22 accreditation recommendations or requirements.

23 (3) The insurance division expenditures for examination
24 purposes may exceed the projected receipts, refunds, and
25 reimbursements, estimated pursuant to section 505.7, subsection
26 7, including the expenditures for retention of additional
27 personnel, if the expenditures are fully reimbursable and the
28 division first does both of the following:

29 (a) Notifies the department of management, the legislative
30 services agency, and the legislative fiscal committee of the
31 need for the expenditures.

32 (b) Files with each of the entities named in subparagraph
 33 division (a) the legislative and regulatory justification for
 34 the expenditures, along with an estimate of the expenditures.
 35 d. UTILITIES DIVISION

Page 7

1 (1) For salaries, support, maintenance, and miscellaneous
 2 purposes, and for not more than the following full-time
 3 equivalent positions:
 4 \$ 8,732,098
 5 FTEs 70.00

6 (2) The utilities division may expend additional moneys,
 7 including moneys for additional personnel, if those additional
 8 expenditures are actual expenses which exceed the moneys
 9 budgeted for utility regulation and the expenditures are fully
 10 reimbursable. Before the division expends or encumbers an
 11 amount in excess of the moneys budgeted for regulation, the
 12 division shall first do both of the following:

13 (a) Notify the department of management, the legislative
 14 services agency, and the legislative fiscal committee of the
 15 need for the expenditures.

16 (b) File with each of the entities named in subparagraph
 17 division (a) the legislative and regulatory justification for
 18 the expenditures, along with an estimate of the expenditures.

19 3. CHARGES. Each division and the office of consumer
 20 advocate shall include in its charges assessed or revenues
 21 generated an amount sufficient to cover the amount stated
 22 in its appropriation and any state-assessed indirect costs
 23 determined by the department of administrative services.

24 Sec. 8. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
 25 AND REGULATION BUREAU. There is appropriated from the housing
 26 trust fund created pursuant to section 16.181, to the bureau of
 27 professional licensing and regulation of the banking division
 28 of the department of commerce for the fiscal year beginning
 29 July 1, 2019, and ending June 30, 2020, the following amounts,
 30 or so much thereof as is necessary, to be used for the purposes
 31 designated:

32 For salaries, support, maintenance, and miscellaneous
 33 purposes:
 34 \$ 62,317

35 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is

Page 8

1 appropriated from the general fund of the state to the offices
 2 of the governor and the lieutenant governor for the fiscal year
 3 beginning July 1, 2019, and ending June 30, 2020, the following
 4 amounts, or so much thereof as is necessary, to be used for the
 5 purposes designated:

6 1. GENERAL OFFICE

7 For salaries, support, maintenance, and miscellaneous

8 purposes, and for not more than the following full-time
9 equivalent positions:
10 \$ 2,303,954
11 FTEs 21.00
12 2. TERRACE HILL QUARTERS
13 For the governor's quarters at Terrace Hill, including
14 salaries, support, maintenance, and miscellaneous purposes, and
15 for not more than the following full-time equivalent positions:
16 \$ 92,070
17 FTEs 1.93
18 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
19 is appropriated from the general fund of the state to the
20 governor's office of drug control policy for the fiscal year
21 beginning July 1, 2019, and ending June 30, 2020, the following
22 amount, or so much thereof as is necessary, to be used for the
23 purposes designated:
24 For salaries, support, maintenance, and miscellaneous
25 purposes, including statewide coordination of the drug abuse
26 resistance education (D.A.R.E.) programs or similar programs,
27 and for not more than the following full-time equivalent
28 positions:
29 \$ 226,247
30 FTEs 4.00
31 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
32 from the general fund of the state to the department of human
33 rights for the fiscal year beginning July 1, 2019, and ending
34 June 30, 2020, the following amounts, or so much thereof as is
35 necessary, to be used for the purposes designated:

Page 9

1 1. CENTRAL ADMINISTRATION DIVISION
2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:
5 \$ 210,075
6 FTEs 5.50
7 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
8 For salaries, support, maintenance, and miscellaneous
9 purposes, and for not more than the following full-time
10 equivalent positions:
11 \$ 956,894
12 FTEs 6.33
13 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There
14 is appropriated from the general fund of the state to the
15 department of inspections and appeals for the fiscal year
16 beginning July 1, 2019, and ending June 30, 2020, the following
17 amounts, or so much thereof as is necessary, to be used for the
18 purposes designated:
19 1. ADMINISTRATION DIVISION
20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time

| | | | |
|----|--|------|-----------|
| 22 | equivalent positions: | | |
| 23 | ..... | \$ | 511,580 |
| 24 | ..... | FTEs | 10.65 |
| 25 | 2. ADMINISTRATIVE HEARINGS DIVISION | | |
| 26 | For salaries, support, maintenance, and miscellaneous | | |
| 27 | purposes, and for not more than the following full-time | | |
| 28 | equivalent positions: | | |
| 29 | ..... | \$ | 625,827 |
| 30 | ..... | FTEs | 23.00 |
| 31 | 3. INVESTIGATIONS DIVISION | | |
| 32 | a. For salaries, support, maintenance, and miscellaneous | | |
| 33 | purposes, and for not more than the following full-time | | |
| 34 | equivalent positions: | | |
| 35 | | \$ | 2,471,791 |

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| | | | |
|----|---|------|-----------|
| 1 | | FTEs | 53.00 |
| 2 | b. By December 1, 2019, the department, in coordination | | |
| 3 | with the investigations division, shall submit a report to the | | |
| 4 | general assembly concerning the division's activities relative | | |
| 5 | to fraud in public assistance programs for the fiscal year | | |
| 6 | beginning July 1, 2018, and ending June 30, 2019. The report | | |
| 7 | shall include but is not limited to a summary of the number | | |
| 8 | of cases investigated, case outcomes, overpayment dollars | | |
| 9 | identified, amount of cost avoidance, and actual dollars | | |
| 10 | recovered. | | |
| 11 | 4. HEALTH FACILITIES DIVISION | | |
| 12 | a. For salaries, support, maintenance, and miscellaneous | | |
| 13 | purposes, and for not more than the following full-time | | |
| 14 | equivalent positions: | | |
| 15 | ..... | \$ | 4,734,682 |
| 16 | ..... | FTEs | 112.00 |
| 17 | b. The department shall, in coordination with the health | | |
| 18 | facilities division, make the following information available | | |
| 19 | to the public as part of the department's development efforts | | |
| 20 | to revise the department's internet site: | | |
| 21 | (1) The number of inspections conducted by the division | | |
| 22 | annually by type of service provider and type of inspection. | | |
| 23 | (2) The total annual operations budget for the division, | | |
| 24 | including general fund appropriations and federal contract | | |
| 25 | dollars received by type of service provider inspected. | | |
| 26 | (3) The total number of full-time equivalent positions in | | |
| 27 | the division, to include the number of full-time equivalent | | |
| 28 | positions serving in a supervisory capacity, and serving as | | |
| 29 | surveyors, inspectors, or monitors in the field by type of | | |
| 30 | service provider inspected. | | |
| 31 | (4) Identification of state and federal survey trends, | | |
| 32 | cited regulations, the scope and severity of deficiencies | | |
| 33 | identified, and federal and state fines assessed and collected | | |
| 34 | concerning nursing and assisted living facilities and programs. | | |
| 35 | c. It is the intent of the general assembly that the | | |

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1 department and division continuously solicit input from
2 facilities regulated by the division to assess and improve
3 the division's level of collaboration and to identify new
4 opportunities for cooperation.
5 5. EMPLOYMENT APPEAL BOARD
6 a. For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:
9 \$ 38,912
10 FTEs 11.00
11 b. The employment appeal board shall be reimbursed by
12 the labor services division of the department of workforce
13 development for all costs associated with hearings conducted
14 under chapter 91C, related to contractor registration. The
15 board may expend, in addition to the amount appropriated under
16 this subsection, additional amounts as are directly billable
17 to the labor services division under this subsection and to
18 retain the additional full-time equivalent positions as needed
19 to conduct hearings required pursuant to chapter 91C.
20 6. CHILD ADVOCACY BOARD
21 a. For foster care review and the court appointed special
22 advocate program, including salaries, support, maintenance, and
23 miscellaneous purposes, and for not more than the following
24 full-time equivalent positions:
25 \$ 2,570,605
26 FTEs 30.00
27 b. The department of human services, in coordination with
28 the child advocacy board and the department of inspections and
29 appeals, shall submit an application for funding available
30 pursuant to Tit. IV-E of the federal Social Security Act for
31 claims for child advocacy board administrative review costs.
32 c. The court appointed special advocate program shall
33 investigate and develop opportunities for expanding
34 fund-raising for the program.
35 d. Administrative costs charged by the department of

Page 12

1 inspections and appeals for items funded under this subsection
2 shall not exceed 4 percent of the amount appropriated in this
3 subsection.
4 7. FOOD AND CONSUMER SAFETY
5 For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:
8 \$ 574,819
9 FTEs 32.40
10 8. APPROPRIATION REALLOCATION. Notwithstanding section
11 8.39, the department of inspections and appeals, in
12 consultation with the department of management, may reallocate

13 moneys appropriated in this section as necessary to best
14 fulfill the needs of the department provided for in the
15 appropriation. However, the department of inspections and
16 appeals shall not reallocate moneys appropriated to the child
17 advocacy board in this section.

18 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS — LICENSE OR
19 REGISTRATION FEES.

20 1. For the fiscal year beginning July 1, 2019, and ending
21 June 30, 2020, the department of inspections and appeals
22 shall collect any license or registration fees or electronic
23 transaction fees generated during the fiscal year as a result
24 of licensing and registration activities under chapters 99B,
25 137C, 137D, and 137F.

26 2. From the fees collected by the department under this
27 section on behalf of a municipal corporation with which
28 the department has an agreement pursuant to section 137F.3,
29 through a statewide electronic licensing system operated by
30 the department, notwithstanding section 137F.6, subsection 2,
31 the department shall remit the amount of those fees to the
32 municipal corporation for whom the fees were collected less
33 any electronic transaction fees collected by the department to
34 enable electronic payment.

35 3. From the fees collected by the department under this

Page 13

1 section, other than those fees described in subsection 2,
2 the department shall deposit the amount of \$800,000 into the
3 general fund of the state prior to June 30, 2020.

4 4. From the fees collected by the department under this
5 section, other than those fees described in subsections 2 and
6 3, the department shall retain the remainder of the fees for
7 the purposes of enforcing the provisions of chapters 99B, 137C,
8 137D, and 137F. Notwithstanding section 8.33, moneys retained
9 by the department pursuant to this subsection that remain
10 unencumbered or unobligated at the end of the fiscal year
11 shall not revert but shall remain available for expenditure
12 for the purposes of enforcing the provisions of chapters 99B,
13 137C, 137D, and 137F during the succeeding fiscal year. The
14 department shall provide an annual report to the department of
15 management and the legislative services agency on fees billed
16 and collected and expenditures from the moneys retained by
17 the department in a format as determined by the department
18 of management in consultation with the legislative services
19 agency.

20 Sec. 14. RACING AND GAMING COMMISSION — RACING AND GAMING
21 REGULATION. There is appropriated from the gaming regulatory
22 revolving fund established in section 99F.20 to the racing and
23 gaming commission of the department of inspections and appeals
24 for the fiscal year beginning July 1, 2019, and ending June 30,
25 2020, the following amount, or so much thereof as is necessary,
26 to be used for the purposes designated:

27 1. For salaries, support, maintenance, and miscellaneous
28 purposes for regulation, administration, and enforcement of
29 pari-mutuel racetracks, excursion boat gambling, and gambling
30 structure laws, and website construction and maintenance for
31 conducting regulation as required by 2018 Iowa Acts, chapter
32 1099, and for not more than the following full-time equivalent
33 positions:
34 \$ 6,492,010
35 FTEs 50.70

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1 2. In addition to the moneys appropriated and full-time
2 equivalent positions authorized in subsection 1, and contingent
3 on the enactment of 2019 Iowa Acts, Senate File 366, or 2019
4 Iowa Acts, House File 748, the racing and gaming commission
5 of the department of inspections and appeals is appropriated
6 an additional \$275,000 and is authorized an additional 3.00
7 full-time equivalent positions to assist in implementing the
8 provisions of 2019 Iowa Acts, Senate File 366, or 2019 Iowa
9 Acts, House File 748, if enacted.
10 Sec. 15. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
11 INSPECTIONS AND APPEALS. There is appropriated from the road
12 use tax fund created in section 312.1 to the administrative
13 hearings division of the department of inspections and appeals
14 for the fiscal year beginning July 1, 2019, and ending June 30,
15 2020, the following amount, or so much thereof as is necessary,
16 to be used for the purposes designated:
17 For salaries, support, maintenance, and miscellaneous
18 purposes:
19 \$ 1,623,897
20 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
21 from the general fund of the state to the department of
22 management for the fiscal year beginning July 1, 2019, and
23 ending June 30, 2020, the following amounts, or so much thereof
24 as is necessary, to be used for the purposes designated:
25 1. For enterprise resource planning, providing for a salary
26 model administrator, conducting performance audits, and the
27 department's LEAN process; for salaries, support, maintenance,
28 and miscellaneous purposes; and for not more than the following
29 full-time equivalent positions:
30 \$ 2,652,389
31 FTEs 21.00
32 2. a. For distribution of moneys to other governmental
33 entities for the payment of rate adjustments established by
34 the office of the chief information officer; and for salaries,
35 support, maintenance, and miscellaneous purposes:

Page 15

1 \$ 650,000
2 b. Moneys appropriated in this subsection shall be

3 separately accounted for in a distribution account and shall
 4 be distributed to other governmental entities to pay for rate
 5 adjustments established by the office of the chief information
 6 officer related to the overpayment of federal funds for
 7 information technology services. The department of management
 8 may reduce the amount of moneys to be distributed to another
 9 governmental entity for the payment of rate adjustments under
 10 this subsection if the amount to be distributed is less than
 11 the amount currently paid by the governmental entity for such
 12 rates. In addition to moneys appropriated in this subsection,
 13 rate adjustments may also be funded using unencumbered and
 14 unobligated moneys remaining in the department of commerce
 15 revolving fund created in section 546.12, the primary road
 16 fund created in section 313.3, the road use tax fund created
 17 in section 312.1, the fish and game protection fund created in
 18 section 456A.17, the Iowa public employees' retirement fund
 19 created in section 97B.7, or any other departmental revolving,
 20 trust, or special fund for which the general assembly has not
 21 made an operating budget appropriation, as determined by the
 22 department of management. The department of management shall
 23 transmit financial statements to the legislative services
 24 agency regarding distributions of moneys provided to other
 25 governmental entities for the payment of rate adjustments
 26 pursuant to this subsection. The statements shall indicate
 27 the amount of the distributions and the dates on which the
 28 distributions are provided.

29 Sec. 17. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
 30 MANAGEMENT. There is appropriated from the road use tax fund
 31 created in section 312.1 to the department of management for
 32 the fiscal year beginning July 1, 2019, and ending June 30,
 33 2020, the following amount, or so much thereof as is necessary,
 34 to be used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

Page 16

| | | | |
|----|---|----|---------|
| 1 | purposes: | | |
| 2 | ..... | \$ | 56,000 |
| 3 | Sec. 18. IOWA PUBLIC INFORMATION BOARD. There is | | |
| 4 | appropriated from the general fund of the state to the Iowa | | |
| 5 | public information board for the fiscal year beginning July | | |
| 6 | 1, 2019, and ending June 30, 2020, the following amounts, or | | |
| 7 | so much thereof as is necessary, to be used for the purposes | | |
| 8 | designated: | | |
| 9 | For salaries, support, maintenance, and miscellaneous | | |
| 10 | purposes and for not more than the following full-time | | |
| 11 | equivalent positions: | | |
| 12 | ..... | \$ | 339,343 |
| 13 | FTEs | | 3.00 |
| 14 | Sec. 19. DEPARTMENT OF REVENUE. | | |
| 15 | 1. There is appropriated from the general fund of the state | | |
| 16 | to the department of revenue for the fiscal year beginning July | | |

17 1, 2019, and ending June 30, 2020, the following amounts, or
 18 so much thereof as is necessary, to be used for the purposes
 19 designated:

20 For salaries, support, maintenance, and miscellaneous
 21 purposes, and for not more than the following full-time
 22 equivalent positions:
 23 \$ 15,724,482
 24 FTEs 160.34

25 2. From the moneys appropriated in this section, the
 26 department shall use \$400,000 to pay the direct costs of
 27 compliance related to the collection and distribution of local
 28 sales and services taxes imposed pursuant to chapters 423B and
 29 423E.

30 3. The director of revenue shall prepare and issue a state
 31 appraisal manual and the revisions to the state appraisal
 32 manual as provided in section 421.17, subsection 17, without
 33 cost to a city or county.

34 Sec. 20. MOTOR VEHICLE FUEL TAX FUND APPROPRIATION. There
 35 is appropriated from the motor vehicle fuel tax fund created

Page 17

1 pursuant to section 452A.77 to the department of revenue for
 2 the fiscal year beginning July 1, 2019, and ending June 30,
 3 2020, the following amount, or so much thereof as is necessary,
 4 to be used for the purposes designated:

5 For salaries, support, maintenance, and miscellaneous
 6 purposes, and for administration and enforcement of the
 7 provisions of chapter 452A and the motor vehicle fuel tax
 8 program:
 9 \$ 1,305,775

10 Sec. 21. SECRETARY OF STATE. There is appropriated from
 11 the general fund of the state to the office of the secretary of
 12 state for the fiscal year beginning July 1, 2019, and ending
 13 June 30, 2020, the following amounts, or so much thereof as is
 14 necessary, to be used for the purposes designated:

15 1. ADMINISTRATION AND ELECTIONS

16 a. For salaries, support, maintenance, and miscellaneous
 17 purposes, and for not more than the following full-time
 18 equivalent positions:
 19 \$ 2,109,755
 20 FTEs 16.00

21 b. The state department or agency that provides data
 22 processing services to support voter registration file
 23 maintenance and storage shall provide those services without
 24 charge.

25 2. BUSINESS SERVICES

26 For salaries, support, maintenance, and miscellaneous
 27 purposes, and for not more than the following full-time
 28 equivalent positions:
 29 \$ 1,405,530
 30 FTEs 16.00

31 Sec. 22. ADDRESS CONFIDENTIALITY PROGRAM REVOLVING FUND
 32 APPROPRIATION — SECRETARY OF STATE. There is appropriated
 33 from the address confidentiality program revolving fund created
 34 in section 9.8 to the office of the secretary of state for the
 35 fiscal year beginning July 1, 2019, and ending June 30, 2020,

Page 18

1 the following amount, or so much thereof as is necessary, to be
 2 used for the purposes designated:
 3 For salaries, support, maintenance, and miscellaneous
 4 purposes:
 5 \$ 195,400

6 Sec. 23. SECRETARY OF STATE FILING FEES
 7 REFUND. Notwithstanding the obligation to collect fees
 8 pursuant to the provisions of section 489.117, subsection
 9 1, paragraphs “a” and “o”, section 490.122, subsection 1,
 10 paragraphs “a” and “s”, and section 504.113, subsection 1,
 11 paragraphs “a”, “c”, “d”, “j”, “k”, “l”, and “m”, for the
 12 fiscal year beginning July 1, 2019, the secretary of state may
 13 refund these fees to the filer pursuant to rules established by
 14 the secretary of state. The decision of the secretary of state
 15 not to issue a refund under rules established by the secretary
 16 of state is final and not subject to review pursuant to chapter
 17 17A.

18 Sec. 24. TREASURER OF STATE.

19 1. There is appropriated from the general fund of the
 20 state to the office of treasurer of state for the fiscal year
 21 beginning July 1, 2019, and ending June 30, 2020, the following
 22 amount, or so much thereof as is necessary, to be used for the
 23 purposes designated:

24 For salaries, support, maintenance, and miscellaneous
 25 purposes, and for not more than the following full-time
 26 equivalent positions:
 27 \$ 1,017,442
 28 FTEs 28.80

29 2. The office of treasurer of state shall supply
 30 administrative support for the executive council.

31 Sec. 25. ROAD USE TAX FUND APPROPRIATION — OFFICE OF
 32 TREASURER OF STATE. There is appropriated from the road use
 33 tax fund created in section 312.1 to the office of treasurer of
 34 state for the fiscal year beginning July 1, 2019, and ending
 35 June 30, 2020, the following amount, or so much thereof as is

Page 19

1 necessary, to be used for the purposes designated:
 2 For enterprise resource management costs related to the
 3 distribution of road use tax funds:
 4 \$ 93,148
 5 Sec. 26. IPERS — GENERAL OFFICE. There is appropriated
 6 from the Iowa public employees’ retirement fund created in

7 section 97B.7 to the Iowa public employees' retirement system
 8 for the fiscal year beginning July 1, 2019, and ending June 30,
 9 2020, the following amount, or so much thereof as is necessary,
 10 to be used for the purposes designated:

11 For salaries, support, maintenance, and other operational
 12 purposes to pay the costs of the Iowa public employees'
 13 retirement system, and for not more than the following
 14 full-time equivalent positions:

| | | |
|----------|------|------------|
| 15 | \$ | 17,988,567 |
| 16 | FTEs | 88.13 |

17 Sec. 27. IOWA PRODUCTS. As a condition of receiving an
 18 appropriation, any agency appropriated moneys pursuant to this
 19 Act shall give first preference when purchasing a product to an
 20 Iowa product or a product produced by an Iowa-based business.
 21 Second preference shall be given to a United States product or
 22 a product produced by a business based in the United States.

23 DIVISION II

24 STANDING APPROPRIATIONS — LIMITATIONS

25 Sec. 28. LIMITATION OF STANDING APPROPRIATION — FY
 26 2019–2020. Notwithstanding the standing appropriation in the
 27 following designated section for the fiscal year beginning July
 28 1, 2019, and ending June 30, 2020, the amount appropriated from
 29 the general fund of the state pursuant to this section for the
 30 following designated purpose shall not exceed the following
 31 amount:

32 For the enforcement of chapter 453D relating to tobacco
 33 product manufacturers under section 453D.8:

| | | |
|----------|----|--------|
| 34 | \$ | 17,525 |
|----------|----|--------|

35 DIVISION III

Page 20

1 SUPPLEMENTAL APPROPRIATIONS

2 Sec. 29. 2017 Iowa Acts, chapter 171, section 28, subsection
 3 1, paragraph b, as amended by 2018 Iowa Acts, chapter 1164,
 4 section 1, is amended to read as follows:

5 b. For the payment of utility costs, and for not more than
 6 the following full-time equivalent positions:

| | | |
|---------|------|------------------|
| 7 | \$ | <u>2,899,231</u> |
| 8 | | <u>3,356,210</u> |
| 9 | FTEs | 1.00 |

10 Notwithstanding section 8.33, any excess moneys appropriated
 11 for utility costs in this lettered paragraph shall not revert
 12 to the general fund of the state at the end of the fiscal year
 13 but shall remain available for expenditure for the purposes of
 14 this lettered paragraph during the succeeding fiscal year.

15 Sec. 30. EFFECTIVE DATE. This division of this Act, being
 16 deemed of immediate importance, takes effect upon enactment.

17 DIVISION IV

18 IOWA CODE CHANGES

19 Sec. 31. Section 8A.111, Code 2019, is amended by adding the
 20 following new subsection:

21 NEW SUBSECTION. 12. By December 31, 2020, and by the same
22 date each year thereafter, an annual report submitted to the
23 general assembly and to the chairpersons and ranking members of
24 the senate and house committees on appropriations containing
25 a listing of real property owned or leased by the state. The
26 report shall be grouped by county and shall include identifying
27 information for each real property listed, including but not
28 limited to the physical address. If real property is leased by
29 the state, the report shall also include the rental or lease
30 costs of such real property.

31 Sec. 32. Section 8B.9, Code 2019, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 6. Beginning October 1, 2019, a quarterly
34 report regarding the status of technology upgrades or
35 enhancements for state agencies, submitted to the general

Page 21

1 assembly and to the chairpersons and ranking members of
2 the senate and house committees on appropriations. The
3 quarterly report shall also include a listing of state agencies
4 coordinating or working with the office and a listing of state
5 agencies not coordinating or working with the office.

6 Sec. 33. Section 48A.38, subsection 1, unnumbered paragraph
7 1, Code 2019, is amended to read as follows:

8 Any person may request of the registrar and shall receive,
9 upon payment of the cost of preparation not to exceed two
10 hundred fifty dollars, a list of registered voters and other
11 data on registration and participation in elections, in
12 accordance with the following requirements and limitations:

13 Sec. 34. Section 137C.9, subsection 1, paragraph c, Code
14 2019, is amended to read as follows:

15 c. For a hotel containing ~~more than~~ one hundred one guest
16 rooms or more, one hundred fifty dollars.

17 Sec. 35. NEW SECTION. 507E.9 Insurance fraud prosecutions
18 — prosecuting attorney.

19 1. The bureau shall hire a prosecuting attorney to prosecute
20 any criminal action for insurance fraud, in all counties of the
21 state, which may be brought pursuant to this chapter or any
22 other law of the state relating to insurance fraud in which the
23 bureau may be interested in and when, in the judgment of the
24 prosecuting attorney, the interest of the bureau requires such
25 action be taken.

26 2. The prosecuting attorney or commissioner of insurance
27 may request the assistance of a county attorney to assist with
28 or handle the prosecution of a criminal action for insurance
29 fraud which may be brought pursuant to this chapter or any
30 other law of the state relating to insurance fraud.

31 3. The prosecuting attorney retained by the bureau pursuant
32 to this section shall report to the commissioner of insurance.

33 4. Beginning January 1, 2021, and by the same date each
34 year thereafter, the bureau shall submit an annual report to

35 the governor and the general assembly detailing the bureau’s

Page 22

- 1 activities regarding insurance fraud prosecution during the
- 2 preceding calendar year, including but not limited to the
- 3 number and type of insurance fraud investigations conducted
- 4 by the bureau, the number and type of cases prosecuted by the
- 5 bureau, and the results of each prosecution.
- 6 5. This section is repealed July 1, 2024.>

COMMITTEE ON APPROPRIATIONS
MICHAEL BREITBACH, Chair

S-3174

- 1 Amend House File 765, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. By striking everything after the enacting clause and
- 4 inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

- 7 Section 1. REBUILD IOWA INFRASTRUCTURE FUND —
- 8 APPROPRIATIONS. There is appropriated from the rebuild Iowa
- 9 infrastructure fund 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. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

- 14 a. (1) For deposit in the water quality initiative fund
- 15 created in section 466B.45 for purposes of supporting the
- 16 water quality initiative administered by the division of soil
- 17 conservation and water quality as provided in section 466B.42,
- 18 including salaries, support, maintenance, and miscellaneous
- 19 purposes, notwithstanding section 8.57, subsection 5, paragraph
- 20 “c”:

21 FY 2019–2020:

22 \$ 5,200,000

- 23 (2) (a) The moneys appropriated in this lettered
- 24 paragraph shall be used to support demonstration projects in
- 25 subwatersheds as designated by the department that are part
- 26 of high-priority watersheds identified by the water resources
- 27 coordinating council.

- 28 (b) The moneys appropriated in this lettered paragraph
- 29 shall be used to support demonstration projects in watersheds
- 30 generally, including regional watersheds, as designated by the
- 31 division and high-priority watersheds identified by the water
- 32 resources coordinating council.

- 33 (3) In supporting projects in watersheds and subwatersheds
- 34 as provided in subparagraph (2), subparagraph divisions (a) and
- 35 (b), all of the following shall apply:

Page 2

1 (a) The demonstration projects shall utilize water quality
2 practices as described in the latest revision of the document
3 entitled "Iowa Nutrient Reduction Strategy" initially presented
4 in November 2012 by the department of agriculture and land
5 stewardship, the department of natural resources, and Iowa
6 state university of science and technology.

7 (b) The division shall implement demonstration projects
8 as provided in subparagraph division (a) by providing
9 for participation by persons who hold a legal interest in
10 agricultural land used in farming. To every extent practical,
11 the division shall provide for collaborative participation by
12 such persons who hold a legal interest in agricultural land
13 located within the same subwatershed.

14 (c) The division shall implement demonstration projects on
15 a cost-share basis as determined by the division. Except for
16 edge-of-field practices, the state's share of the amount shall
17 not exceed 50 percent of the estimated cost of establishing the
18 practice as determined by the division or 50 percent of the
19 actual cost of establishing the practice, whichever is less.

20 (d) The demonstration projects shall be used to educate
21 other persons about the feasibility and value of establishing
22 similar water quality practices. The division shall promote
23 field day events for purposes of allowing interested persons to
24 establish water quality practices on their agricultural land.

25 (e) The division shall conduct water quality evaluations
26 within supported subwatersheds. Within a reasonable period
27 after accumulating information from such evaluations, the
28 division shall create an aggregated database of water quality
29 practices. Any information identifying a person holding a
30 legal interest in agricultural land or specific agricultural
31 land shall be a confidential record.

32 (4) The moneys appropriated in this lettered paragraph
33 shall be used to support education and outreach in a manner
34 that encourages persons who hold a legal interest in
35 agricultural land used for farming to implement water quality

Page 3

1 practices, including the establishment of such practices in
2 watersheds generally, and not limited to subwatersheds or
3 high-priority watersheds.

4 (5) The moneys appropriated in this lettered paragraph
5 may be used to contract with persons to coordinate the
6 implementation of efforts provided in this paragraph.

7 (6) The moneys appropriated in this lettered paragraph
8 may be used by the department to support urban soil and water
9 conservation efforts, which may include but are not limited
10 to management practices related to bioretention, landscaping,
11 the use of permeable or pervious pavement, and soil quality
12 restoration. The moneys shall be allocated on a cost-share

13 basis as provided in chapter 161A.

14 (7) Notwithstanding any other provision of law to the
15 contrary, the department may use moneys appropriated in
16 this lettered paragraph to carry out the provisions of this
17 paragraph on a cost-share basis in combination with other
18 moneys available to the department from a state or federal
19 source.

20 (8) Not more than 10 percent of the moneys appropriated in
21 this lettered paragraph may be used for costs of administration
22 and implementation of the water quality initiative administered
23 by the soil conservation division.

24 b. For deposit in the agricultural drainage well water
25 quality assistance fund created in section 460.303 for
26 purposes of supporting the agricultural drainage well water
27 quality assistance program as provided in section 460.304,
28 notwithstanding section 8.57, subsection 5, paragraph “c”:

29 FY 2019–2020:
30 \$ 1,875,000

31 Not more than 10 percent of the moneys appropriated in this
32 lettered paragraph may be used for costs of administration and
33 implementation of soil conservation practices.

34 c. For deposit in the renewable fuels infrastructure fund
35 created in section 159A.16 for renewable fuel infrastructure

Page 4

1 programs:
2 FY 2019–2020:
3 \$ 3,000,000

4 2. DEPARTMENT OF CORRECTIONS

5 For a fire suppression system for the sixth judicial
6 district community-based corrections residential facility:

7 FY 2019–2020:
8 \$ 150,000

9 3. DEPARTMENT OF CULTURAL AFFAIRS

10 a. For deposit in the Iowa great places program fund created
11 in section 303.3D for Iowa great places program projects that
12 meet the definition of “vertical infrastructure” in section
13 8.57, subsection 5, paragraph “c”:

14 FY 2019–2020:
15 \$ 1,000,000

16 b. For grants to nonprofit organizations committed to
17 strengthening communities through youth development, healthy
18 living, and social responsibility for costs associated with
19 the renovation and maintenance of facility infrastructure at
20 facilities located in cities with a population of less than
21 28,000 as determined by the 2010 federal decennial census:

22 FY 2019–2020:
23 \$ 250,000

24 4. ECONOMIC DEVELOPMENT AUTHORITY

25 a. For deposit in the community attraction and tourism fund
26 created in section 15F.204:

| | | |
|----|--|--------------|
| 27 | FY 2019–2020: | |
| 28 | ..... | \$ 5,000,000 |
| 29 | b. For equal distribution to regional sports authority | |
| 30 | districts certified by the department pursuant to section | |
| 31 | 15E.321, notwithstanding section 8.57, subsection 5, paragraph | |
| 32 | “c”: | |
| 33 | FY 2019–2020: | |
| 34 | ..... | \$ 500,000 |
| 35 | c. For administration and support of the world food prize | |

Page 5

| | | |
|----|---|--------------|
| 1 | including the Borlaug/Ruan scholar program, notwithstanding | |
| 2 | section 8.57, subsection 5, paragraph “c”: | |
| 3 | FY 2019–2020: | |
| 4 | ..... | \$ 300,000 |
| 5 | d. For connection of communities to the Lewis and Clark | |
| 6 | regional water system: | |
| 7 | FY 2019–2020: | |
| 8 | ..... | \$ 1,800,000 |
| 9 | FY 2020–2021: | |
| 10 | ..... | \$ 1,700,000 |
| 11 | The authority shall establish a plan for the repayment of | |
| 12 | moneys appropriated pursuant to this paragraph once federal | |
| 13 | moneys for the project have been received. The authority shall | |
| 14 | submit a report to the general assembly by February 1, 2020, | |
| 15 | on the status of any federal moneys being appropriated for the | |
| 16 | project. | |
| 17 | e. For the building of an independent innovation center at | |
| 18 | a year-round camp for persons with disabilities that is located | |
| 19 | in a city with a population of more than 200,000 as determined | |
| 20 | by the 2010 federal decennial census: | |
| 21 | FY 2019–2020: | |
| 22 | ..... | \$ 200,000 |
| 23 | FY 2020–2021: | |
| 24 | ..... | \$ 800,000 |
| 25 | 5. DEPARTMENT OF HUMAN SERVICES | |
| 26 | a. For a grant to a nonprofit agency that provides expert | |
| 27 | care for children with medical complexity to expand its | |
| 28 | services to those children who reach adulthood in their care | |
| 29 | by providing infrastructure funding for expanding its nursing | |
| 30 | facility: | |
| 31 | FY 2020–2021: | |
| 32 | ..... | \$ 1,250,000 |
| 33 | b. For the renovation and construction of certain nursing | |
| 34 | facilities, consistent with the provisions of chapter 249K: | |
| 35 | FY 2019–2020: | |

Page 6

| | | |
|---|---------------------------|------------|
| 1 | ..... | \$ 500,000 |
| 2 | 6. IOWA FINANCE AUTHORITY | |

| | | |
|----|--|--------------|
| 3 | For deposit in the housing trust fund created in section | |
| 4 | 16.181: | |
| 5 | FY 2019–2020: | |
| 6 | ..... | \$ 50,000 |
| 7 | 7. DEPARTMENT OF NATURAL RESOURCES | |
| 8 | a. For implementation of lake projects that have | |
| 9 | established watershed improvement initiatives and community | |
| 10 | support in accordance with the department's annual lake | |
| 11 | restoration plan and report, notwithstanding section 8.57, | |
| 12 | subsection 5, paragraph "c": | |
| 13 | FY 2019–2020: | |
| 14 | ..... | \$ 9,600,000 |
| 15 | As a condition of the appropriation in this lettered | |
| 16 | paragraph, a public shallow lake or wetland or a significant | |
| 17 | public lake for purposes of the department's annual lake | |
| 18 | restoration plan and report shall include, notwithstanding any | |
| 19 | provision of section 456A.33B to the contrary, a water body | |
| 20 | that has a watershed-to-lake surface area ratio of greater | |
| 21 | than two hundred to one and that is owned by a public entity | |
| 22 | organized under chapter 357E. | |
| 23 | b. For the administration of a water trails and low head | |
| 24 | dam public hazard statewide plan, including salaries, support, | |
| 25 | maintenance, and miscellaneous purposes, notwithstanding | |
| 26 | section 8.57, subsection 5, paragraph "c": | |
| 27 | FY 2019–2020: | |
| 28 | ..... | \$ 500,000 |
| 29 | c. For state park vertical infrastructure improvements: | |
| 30 | FY 2019–2020: | |
| 31 | ..... | \$ 2,000,000 |
| 32 | 8. DEPARTMENT OF PUBLIC DEFENSE | |
| 33 | a. For major maintenance projects at national guard | |
| 34 | armories and facilities: | |
| 35 | FY 2019–2020: | |

Page 7

| | | |
|----|--|--------------|
| 1 | ..... | \$ 1,000,000 |
| 2 | b. For improvement projects for Iowa national guard | |
| 3 | installations and readiness centers to support operations and | |
| 4 | training requirements: | |
| 5 | FY 2019–2020: | |
| 6 | ..... | \$ 1,000,000 |
| 7 | c. For construction improvement projects at the Camp Dodge | |
| 8 | facility: | |
| 9 | FY 2019–2020: | |
| 10 | ..... | \$ 250,000 |
| 11 | d. The department of public defense shall report to the | |
| 12 | general assembly by December 15, 2019, regarding the projects | |
| 13 | the department has funded, or intends to fund, from moneys | |
| 14 | appropriated to the department pursuant to this subsection for | |
| 15 | the fiscal year beginning July 1, 2019. | |
| 16 | 9. DEPARTMENT OF PUBLIC SAFETY | |

| | | | |
|----|---|----|-----------|
| 17 | a. For payments and other costs due under a financing | | |
| 18 | agreement entered into by the treasurer of state for building | | |
| 19 | the statewide interoperable communications system pursuant to | | |
| 20 | section 29C.23, subsection 2, notwithstanding section 8.57, | | |
| 21 | subsection 5, paragraph "c": | | |
| 22 | FY 2019–2020: | | |
| 23 | ..... | \$ | 3,719,355 |
| 24 | b. For the purchase of a liquid chromatograph, | | |
| 25 | notwithstanding section 8.57, subsection 5, paragraph "c": | | |
| 26 | FY 2019–2020: | | |
| 27 | ..... | \$ | 325,000 |
| 28 | c. For the purchase of equipment that can detect the | | |
| 29 | presence of explosive material, notwithstanding section 8.57, | | |
| 30 | subsection 5, paragraph "c": | | |
| 31 | FY 2019–2020: | | |
| 32 | ..... | \$ | 29,000 |
| 33 | 10. BOARD OF REGENTS | | |
| 34 | a. For allocation by the state board of regents to the | | |
| 35 | state university of Iowa, Iowa state university of science | | |

Page 8

| | | | |
|----|---|----|------------|
| 1 | and technology, and the university of northern Iowa to | | |
| 2 | reimburse the institutions for deficiencies in the operating | | |
| 3 | funds resulting from the pledging of tuition, student fees | | |
| 4 | and charges, and institutional income to finance the cost of | | |
| 5 | providing academic and administrative buildings and facilities | | |
| 6 | and utility services at the institutions: | | |
| 7 | FY 2019–2020: | | |
| 8 | ..... | \$ | 28,098,870 |
| 9 | b. For the renovation of long hall at the Iowa school for | | |
| 10 | the deaf: | | |
| 11 | FY 2019–2020: | | |
| 12 | ..... | \$ | 4,325,000 |
| 13 | c. For the renovation and construction of an industrial | | |
| 14 | technology center at the university of northern Iowa to | | |
| 15 | include reimbursement of infrastructure costs incurred by the | | |
| 16 | university for construction of the facility in the prior fiscal | | |
| 17 | year: | | |
| 18 | FY 2020–2021: | | |
| 19 | ..... | \$ | 1,000,000 |
| 20 | 11. STATE FAIR AUTHORITY | | |
| 21 | For infrastructure costs associated with the remodeling | | |
| 22 | of the 4-H building on the state fairgrounds, to include | | |
| 23 | reimbursement of infrastructure costs incurred by the authority | | |
| 24 | for remodel costs of the facility in the prior fiscal year: | | |
| 25 | FY 2019–2020: | | |
| 26 | ..... | \$ | 500,000 |
| 27 | FY 2020–2021: | | |
| 28 | ..... | \$ | 4,500,000 |
| 29 | 12. DEPARTMENT OF TRANSPORTATION | | |
| 30 | a. For acquiring, constructing, and improving recreational | | |

31 trails within the state:
 32 FY 2019–2020:
 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 2019–2020:
 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 2019–2020:
 9 \$ 1,000,000
 10 d. For vertical infrastructure improvements at the
 11 commercial service airports within the state:
 12 FY 2019–2020:
 13 \$ 1,600,000
 14 Of the moneys appropriated in this lettered paragraph,
 15 \$100,000 shall be allocated for planning and design costs for
 16 proposed infrastructure improvements at a commercial service
 17 airport located in a city with a population of more than
 18 200,000 as determined by the 2010 federal decennial census,
 19 notwithstanding section 8.57, subsection 5, paragraph “c”.
 20 e. For vertical infrastructure improvements at general
 21 aviation airports within the state:
 22 FY 2019–2020:
 23 \$ 700,000
 24 13. TREASURER OF STATE
 25 For distribution in accordance with chapter 174 to qualified
 26 fairs that belong to the association of Iowa fairs for county
 27 fair vertical infrastructure improvements:
 28 FY 2019–2020:
 29 \$ 1,060,000
 30 14. IOWA VETERANS HOME
 31 For replacement of the mechanical and electrical
 32 distribution systems in various buildings:
 33 FY 2019–2020:
 34 \$ 6,134,840
 35 15. JUDICIAL BRANCH

Page 10

1 For furniture and equipment for justice centers located in
 2 counties with a population of less than 400,000 as determined
 3 by the 2010 federal decennial census, notwithstanding section
 4 8.57, subsection 5, paragraph “c”:
 5 FY 2019–2020:
 6 \$ 193,620

7 Sec. 2. REVERSION. For purposes of section 8.33, unless
 8 specifically provided otherwise, unencumbered or unobligated
 9 moneys from an appropriation made in this division of this Act
 10 shall not revert but shall remain available for expenditure for
 11 the purposes designated until the close of the fiscal year that
 12 ends three years after the end of the fiscal year for which the
 13 appropriation is made. However, if the project or projects for
 14 which such appropriation was made are completed in an earlier
 15 fiscal year, unencumbered or unobligated moneys shall revert at
 16 the close of that same fiscal year.

17 DIVISION II

18 TECHNOLOGY REINVESTMENT FUND

19 Sec. 3. TECHNOLOGY REINVESTMENT FUND. There is
 20 appropriated from the technology reinvestment fund created in
 21 section 8.57C to the following departments and agencies for the
 22 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 23 the following amounts, or so much thereof as is necessary, to
 24 be used for the purposes designated:

25 1. DEPARTMENT OF CORRECTIONS

26 For computer switches upgrades, upgrades to various camera
 27 and phone systems and fiber lines, and building automated
 28 systems:

29 FY 2019–2020:

30 \$ 1,258,763

31 2. DEPARTMENT OF EDUCATION

32 a. For the continued development and implementation of an
 33 educational data warehouse to be utilized by teachers, parents,
 34 school district administrators, area education agency staff,
 35 department of education staff, and policymakers:

Page 11

1 \$ 600,000

2 The department may allocate a portion of the moneys
 3 appropriated in this lettered paragraph for an e-transcript
 4 data system capable of tracking students throughout their
 5 education via interconnectivity with multiple schools.

6 b. For maintenance and lease costs associated with
 7 connections for part III of the Iowa communications network:
 8 \$ 2,727,000

9 c. For support costs associated with the creation of a
 10 statewide clearinghouse to expand work-based learning as a part
 11 of the future ready Iowa initiative:
 12 \$ 50,000

13 3. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

14 For the implementation of a statewide mass notification and
 15 emergency messaging system:

16 \$ 400,000

17 4. DEPARTMENT OF HUMAN RIGHTS

18 a. For the cost of equipment and computer software for the
 19 continued development and implementation of Iowa's criminal
 20 justice information system:

| | | | |
|----|--|----|-----------|
| 21 | ..... | \$ | 1,200,000 |
| 22 | b. For the costs associated with the justice enterprise data | | |
| 23 | warehouse: | | |
| 24 | ..... | \$ | 157,980 |
| 25 | 5. DEPARTMENT OF HUMAN SERVICES | | |
| 26 | For the replacement of the family and children services | | |
| 27 | system: | | |
| 28 | ..... | \$ | 5,525,660 |
| 29 | 6. STATE PUBLIC DEFENDER | | |
| 30 | For technology projects: | | |
| 31 | ..... | \$ | 50,000 |
| 32 | 7. IOWA LAW ENFORCEMENT ACADEMY | | |
| 33 | For technology projects: | | |
| 34 | ..... | \$ | 15,000 |
| 35 | 8. DEPARTMENT OF MANAGEMENT | | |

Page 12

| | | | |
|----|---|----|---------|
| 1 | a. For the continued development and implementation of | | |
| 2 | a searchable database that can be placed on the internet for | | |
| 3 | budget and financial information: | | |
| 4 | ..... | \$ | 45,000 |
| 5 | b. For the continued development and implementation of the | | |
| 6 | comprehensive electronic grant management system: | | |
| 7 | ..... | \$ | 50,000 |
| 8 | c. For the upgrade of the local government budget and | | |
| 9 | property tax system: | | |
| 10 | ..... | \$ | 120,000 |
| 11 | 9. DEPARTMENT OF PUBLIC HEALTH | | |
| 12 | For the consolidation of the AMANDA database management | | |
| 13 | system: | | |
| 14 | ..... | \$ | 796,800 |
| 15 | 10. DEPARTMENT OF PUBLIC SAFETY | | |
| 16 | a. For replacement of a server storage system: | | |
| 17 | ..... | \$ | 290,000 |
| 18 | b. For technology upgrades at Iowa state patrol district 16: | | |
| 19 | ..... | \$ | 250,000 |
| 20 | 11. DEPARTMENT OF VETERANS AFFAIRS | | |
| 21 | For technology projects: | | |
| 22 | ..... | \$ | 5,000 |
| 23 | Sec. 4. REVERSION. For purposes of section 8.33, unless | | |
| 24 | specifically provided otherwise, unencumbered or unobligated | | |
| 25 | moneys from an appropriation made in this division of this Act | | |
| 26 | shall not revert but shall remain available for expenditure for | | |
| 27 | the purposes designated until the close of the fiscal year that | | |
| 28 | ends three years after the end of the fiscal year for which the | | |
| 29 | appropriation is made. However, if the project or projects for | | |
| 30 | which such appropriation was made are completed in an earlier | | |
| 31 | fiscal year, unencumbered or unobligated moneys shall revert at | | |
| 32 | the close of that same fiscal year. | | |
| 33 | DIVISION III | | |
| 34 | CHANGES TO PRIOR APPROPRIATIONS | | |

35 Sec. 5. 2014 Iowa Acts, chapter 1136, section 2, as amended

Page 13

1 by 2018 Iowa Acts, chapter 1162, section 8, is amended to read
 2 as follows:
 3 SEC. 2. REVERSION.
 4 1. Except as otherwise provided in subsection 2, for
 5 purposes of section 8.33, unless specifically provided
 6 otherwise, unencumbered or unobligated moneys made from an
 7 appropriation in this division of this Act shall not revert
 8 but shall remain available for expenditure for the purposes
 9 designated until the close of the fiscal year that ends
 10 three years after the end of the fiscal year for which the
 11 appropriation is made. However, if the project or projects for
 12 which such appropriation was made are completed in an earlier
 13 fiscal year, unencumbered or unobligated moneys shall revert at
 14 the close of that same fiscal year.
 15 2. For purposes of section 8.33, unencumbered or
 16 unobligated moneys from an appropriation in section 1,
 17 subsection 5, paragraph "c", in this division of this Act
 18 shall not revert but shall remain available for the purposes
 19 designated until the close of the fiscal year that begins July
 20 1, ~~2018~~ 2020, or until the project for which the appropriation
 21 was made is completed, whichever is earlier.
 22 Sec. 6. 2015 Iowa Acts, chapter 139, section 1, subsection
 23 10, paragraph b, as amended by 2017 Iowa Acts, chapter 173,
 24 section 11, and 2018 Iowa Acts, chapter 1162, section 9, is
 25 amended to read as follows:

26 b. For construction of a student innovation center at
 27 Iowa state university of science and technology, to include
 28 reimbursement of infrastructure costs incurred by the
 29 university for construction of the facility in the prior fiscal
 30 year:
 31 FY 2016–2017: \$ 1,000,000
 32
 33 FY 2017–2018: \$ 6,000,000
 34
 35 FY 2018–2019: \$

Page 14

1 \$ 6,000,000
 2 FY 2019–2020: \$
 3 ~~10,000,000~~
 4 7,000,000
 5 FY 2020–2021: \$ 10,000,000
 6
 7 FY 2021–2022: \$
 8 ~~7,000,000~~
 9 10,000,000
 10 Sec. 7. 2016 Iowa Acts, chapter 1133, section 2, is amended

11 to read as follows:

12 SEC. 2. REVERSION.

13 1. For Except as provided in subsection 2, for purposes
14 of section 8.33, unless specifically provided otherwise,
15 unencumbered or unobligated moneys made from an appropriation
16 in this division of this Act shall not revert but shall remain
17 available for expenditure for the purposes designated until the
18 close of the fiscal year that ends three years after the end of
19 the fiscal year for which the appropriation is made. However,
20 if the project or projects for which such appropriation was
21 made are completed in an earlier fiscal year, unencumbered
22 or unobligated moneys shall revert at the close of that same
23 fiscal year.

24 2. For purposes of section 8.33, unless specifically
25 provided otherwise, unencumbered or unobligated moneys
26 appropriated and allocated for the costs of major maintenance
27 of monuments without dedicated funds available for maintenance
28 and restoration, in section 1, subsection 1, in this division
29 of this 2016 Act, shall not revert but shall remain available
30 for the purpose designated until the close of the fiscal year
31 that begins July 1, 2023.

32 Sec. 8.EFFECTIVE DATE. This division of this Act, being
33 deemed of immediate importance, takes effect upon enactment.

34 DIVISION IV

35 DEPARTMENT OF ADMINISTRATIVE SERVICES

Page 15

1 Sec. 9. Section 8A.321, Code 2019, is amended by adding the
2 following new subsection:
3 NEW SUBSECTION. 15. Prepare an annual report listing any
4 state building, as defined in section 8A.318, that is vacant
5 and submit the annual report to the legislative services agency
6 and the department of management on or before January 15 of
7 each year.

8 Sec. 10. Section 8A.330, subsection 3, Code 2019, is amended
9 to read as follows:

10 3. Moneys in the routine maintenance fund are appropriated
11 to the department for purposes of routine maintenance projects
12 ~~for physical properties under the control of the department~~
13 state buildings and facilities, excluding buildings and
14 facilities under the control of the state board of regents,
15 state department of transportation, department of natural
16 resources, and department of public defense. For purposes of
17 this section, routine maintenance includes regular upkeep of
18 physical properties and recurring, preventive, and ongoing
19 maintenance necessary to delay or prevent the failure of
20 physical properties.

21 DIVISION V

22 MISCELLANEOUS PROVISIONS

23 Sec. 11. Section 8.57C, subsection 3, paragraph a,
24 subparagraph (2), Code 2019, is amended to read as follows:

25 (2) The fiscal year beginning July 1, ~~2019~~ 2020, and for
26 each subsequent fiscal year thereafter.
27 Sec. 12. Section 8.57C, subsection 3, Code 2019, is amended
28 by adding the following new paragraph:
29 NEW PARAGRAPH. *h.* There is appropriated from the rebuild
30 Iowa infrastructure fund for the fiscal year beginning July
31 1, 2019, and ending June 30, 2020, the sum of sixteen million
32 eight hundred sixty-nine thousand seven hundred thirty-eight
33 dollars to the technology reinvestment fund, notwithstanding
34 section 8.57, subsection 5, paragraph “c”>

COMMITTEE ON APPROPRIATIONS
MICHAEL BREITBACH, Chair

S-3175

1 Amend Senate File 544 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 135.11, subsection 24, Code 2019, is
5 amended by striking the subsection.
6 Sec. 2. Section 232.69, subsection 3, paragraph b, Code
7 2019, is amended to read as follows:
8 *b.* A person required to make a report under subsection
9 1, other than a physician whose professional practice does
10 not regularly involve providing primary health care to
11 children, shall complete two hours of training relating to
12 the identification and reporting of child abuse within six
13 months of initial employment or self-employment involving the
14 examination, attending, counseling, or treatment of children
15 on a regular basis. Within one month of initial employment
16 or self-employment, the person shall obtain a statement of
17 the abuse reporting requirements from the person’s employer
18 or, if self-employed, from the department. The person
19 shall complete at least two hours of additional child abuse
20 identification and reporting training every ~~five~~ three years.
21 If the person completes at least one hour of additional child
22 abuse identification and reporting training prior to the
23 three-year expiration period, the person shall be deemed in
24 compliance with the training requirements of this section for
25 an additional three years.
26 Sec. 3. Section 232.69, subsection 3, paragraphs c and d,
27 Code 2019, are amended by striking the paragraphs and inserting
28 in lieu thereof the following:
29 *c.* The core training curriculum relating to the
30 identification and reporting of child abuse, as provided
31 in paragraph “b”, shall be developed and provided by the
32 department.
33 *d.* An employer of a person required to make a report under
34 subsection 1 may provide supplemental training, specific to
35 identification and reporting of child abuse as it relates to

Page 2

1 the person's professional practice, in addition to the core
2 training provided by the department.

3 Sec. 4. Section 235B.16, subsection 5, paragraph b, Code
4 2019, is amended to read as follows:

5 b. A person required to report cases of dependent adult
6 abuse pursuant to sections 235B.3 and 235E.2, other than a
7 physician whose professional practice does not regularly
8 involve providing primary health care to adults, shall
9 complete two hours of training relating to the identification
10 and reporting of dependent adult abuse within six months of
11 initial employment or self-employment which involves the
12 examination, attending, counseling, or treatment of adults
13 on a regular basis. Within one month of initial employment
14 or self-employment, the person shall obtain a statement of
15 the abuse reporting requirements from the person's employer
16 or, if self-employed, from the department. The person shall
17 complete at least two hours of additional dependent adult
18 abuse identification and reporting training every ~~five~~ three
19 years. If the person completes at least one hour of additional
20 dependent adult abuse identification and reporting training
21 prior to the three-year expiration period, the person shall be
22 deemed in compliance with the training requirements of this
23 section for an additional three years.

24 Sec. 5. Section 235B.16, subsection 5, paragraphs c and d,
25 Code 2019, are amended by striking the paragraphs and inserting
26 in lieu thereof the following:

27 c. The core training curriculum relating to the
28 identification and reporting of dependent adult abuse, as
29 provided in paragraph "b", shall be developed by the department
30 pursuant to subsection 2 and provided by the department.

31 d. An employer of a person required to report cases
32 of dependent adult abuse pursuant to sections 235B.3 and
33 235E.2 may provide supplemental training, specific to the
34 identification and reporting of dependent adult abuse as it
35 relates to the person's professional practice, in addition to

Page 3

1 the core training provided by the department.

2 Sec. 6. Section 235B.16, subsection 5, paragraph e, Code
3 2019, is amended by striking the paragraph.

4 Sec. 7. TRANSITION PROVISIONS. A child abuse or dependent
5 adult abuse training certificate relating to the identification
6 and reporting of child abuse or dependent adult abuse issued
7 prior to July 1, 2019, remains effective and continues in
8 effect as issued for the five-year period following its
9 issuance.>

JIM CARLIN

S-3176

- 1 Amend Senate File 617 as follows:
- 2 1. Page 1, line 23, by striking <chapter and> and inserting
- 3 <chapter, chapter 99E, and>
- 4 2. Page 1, line 30, after <chapter> by inserting <, chapter
- 5 99E>
- 6 3. Page 4, line 27, by striking <and chapter 99D> and
- 7 inserting <, ~~and~~ chapter 99D, and chapter 99E>
- 8 4. Page 4, line 35, by striking <or chapter 99D> and
- 9 inserting <, ~~or~~ chapter 99D, or chapter 99E>
- 10 5. Page 5, by striking lines 17 through 19 and inserting
- 11 <license fees shall be deposited in the general fund of the
- 12 state and shall be subject to the requirements of section 8.60.
- 13 All revenue received by the commission from regulatory>
- 14 6. Page 6, line 1, by striking <also licensed to conduct
- 15 sports wagering> and inserting <applicable>
- 16 7. Page 6, by striking line 14 and inserting <subparagraphs
- 17 (2) and (3), Code 2019, are amended to read>
- 18 8. Page 6, lines 26 and 27, by striking <also licensed to
- 19 conduct sports wagering> and inserting <applicable>
- 20 9. Page 7, by striking line 7 and inserting <racetrack
- 21 enclosure to>
- 22 10. Page 7, line 14, after <shall be> by inserting <four
- 23 percent of sports wagering net receipts and>
- 24 11. Page 7, by striking lines 26 through 30.
- 25 12. Page 7, line 34, by striking <seventy-five> and
- 26 inserting <forty-five>
- 27 13. Page 8, line 6, by striking <or operate>
- 28 14. Page 8, line 7, by striking <five> and inserting <ten>
- 29 15. Page 11, after line 8 by inserting:
- 30 <Sec. ____ Section 99F.11, subsection 3, unnumbered
- 31 paragraph 1, Code 2019, is amended to read as follows:
- 32 The taxes imposed by this section on adjusted gross receipts
- 33 from gambling games authorized under this chapter shall be paid
- 34 by the licensee to the treasurer of state within ten days after
- 35 the close of the day when the wagers were made and shall be

Page 2

- 1 distributed as follows:>
- 2 16. Page 11, by striking lines 18 through 23 and inserting
- 3 <commission and shall be credited as>
- 4 17. Page 12, by striking lines 8 through 11 and inserting
- 5 <false identification. The commission is required to share
- 6 any information received pursuant to this paragraph with the
- 7 division of criminal investigation, any other law enforcement
- 8 entity upon request, or any regulatory agency the commission
- 9 deems appropriate. The commission shall promptly report any
- 10 information received pursuant to this paragraph with any
- 11 sports team or sports governing body as the commission deems
- 12 appropriate, but shall not share any information that would

13 interfere with an ongoing criminal investigation.>
14 18. Page 12, line 32, after ~~<wagers.>~~ by inserting ~~<However,~~
15 a licensee shall not share information that would interfere
16 with an ongoing criminal investigation.>
17 19. Page 14, by striking lines 6 through 24.
18 20. Page 15, after line 20 by inserting:
19 <Sec. ____ Section 80.43, subsection 1, Code 2019, is
20 amended to read as follows:
21 1. A gaming enforcement revolving fund is created in the
22 state treasury under the control of the department. The fund
23 shall consist of fees collected and deposited into the fund
24 paid by licensees pursuant to section 99D.14, subsection 2,
25 paragraph “b”, fees and costs paid by applicants pursuant
26 to section 99E.4, subsection 4, and fees paid by licensees
27 pursuant to section 99F.10, subsection 4, paragraph “b”. All
28 costs for agents and officers plus any direct support costs
29 for such agents and officers of the division of criminal
30 investigation’s racetrack, excursion boat, ~~or~~ gambling
31 structure, and internet fantasy sports contests as defined in
32 section 99E.1 enforcement activities shall be paid from the
33 fund as provided in appropriations made for this purpose by the
34 general assembly.>
35 21. Page 16, after line 26 by inserting:

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1 <8. “Licensee” means any person licensed under section 99E.5
2 to conduct internet fantasy sports contests.>
3 22. Page 16, line 27, by striking <8.> and inserting <9.>
4 23. Page 18, by striking lines 13 through 33 and inserting:
5 <3. Before a license is granted, the division of criminal
6 investigation of the department of public safety shall conduct
7 a thorough background investigation of the applicant for a
8 license to conduct internet fantasy sports contests. The
9 applicant shall provide information on a form as required by
10 the division of criminal investigation.
11 4. The commission shall charge the applicant a reasonable
12 fee set by the division of criminal investigation of the
13 department of public safety, to defray those costs associated
14 with the fingerprint and national criminal history check
15 requirements of subsection 2 and background investigations
16 conducted by agents of the division of criminal investigation
17 as provided in subsection 3. These fees and costs are in
18 addition to any other license fees and costs charged by the
19 commission. The fees and costs received by the commission
20 shall be deposited in the gaming enforcement revolving fund
21 established in section 80.43.>
22 24. Page 19, line 32, by striking <annual>
23 25. Page 20, by striking lines 18 through 23 and inserting:
24 <d. Include on the internet site or mobile application used
25 by the licensee to conduct internet fantasy sports contests the
26 statewide telephone number authorized by the Iowa department

27 of public health to provide problem gambling information and
28 extensive responsible gaming features in addition to those
29 described in section 99F.4, subsection 22.>
30 26. Page 21, line 14, by striking <annual>
31 27. Page 21, by striking lines 15 through 17 and inserting
32 <license fees paid under this section shall be considered
33 repayment receipts as defined in section 8.2.>
34 28. Page 22, line 8, by striking <be>
35 29. Page 22, by striking lines 9 through 14.

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1 30. Page 23, line 11, by striking <authorized> and inserting
2 <required>
3 31. Page 24, line 10, by striking <ninety> and inserting
4 <one hundred eighty>
5 32. Page 25, after line 20 by inserting:
6 <Sec. ____ Section 725.7, subsection 1, paragraph e, Code
7 2019, is amended to read as follows:
8 e. Engage in bookmaking, except as permitted in chapters 99E
9 and 99F.
10 Sec. ____ Section 725.13, Code 2019, is amended to read as
11 follows:
12 **725.13 Definition of bookmaking.**
13 “*Bookmaking*” means advancing gambling activity by accepting
14 bets upon the outcome of future contingent events as a business
15 other than as permitted in chapters 99B, 99D, 99E, and 99F.
16 These events include, but are not limited to, the results of
17 a trial or contest of skill, speed, power, or endurance of
18 a person or beast or between persons, beasts, fowl, motor
19 vehicles, or mechanical apparatus or upon the result of any
20 chance, casualty, unknown, or contingent event.>
21 33. Page 26, lines 21 and 22, by striking <state
22 philanthropy, opportunity, reinvestment, and tourism> and
23 inserting <sports wagering receipts>
24 34. Page 26, lines 26 and 27, by striking <state
25 philanthropy, opportunity, reinvestment, and tourism> and
26 inserting <sports wagering receipts>
27 35. Page 26, lines 28 and 29, by striking <state
28 philanthropy, opportunity, reinvestment, and tourism> and
29 inserting <sports wagering receipts>
30 36. By striking page 26, line 35, through page 27, line 1,
31 and inserting:
32 <b. Moneys in the sports wagering receipts fund are not
33 subject to section>
34 37. Page 27, lines 3 and 4, by striking <state philanthropy,
35 opportunity, reinvestment, and tourism> and inserting <sports

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1 wagering receipts>
2 38. Page 27, lines 5 and 6, by striking <state philanthropy,

3 opportunity, reinvestment, and tourism> and inserting <sports
4 wagering receipts>

5 39. Page 27, lines 9 and 10, by striking <state
6 philanthropy, opportunity, reinvestment, and tourism> and
7 inserting <sports wagering receipts>

8 40. Page 27, lines 13 and 14, by striking <state
9 philanthropy, opportunity, reinvestment, and tourism> and
10 inserting <sports wagering receipts>

11 41. Page 27, lines 24 and 25, by striking <state
12 philanthropy, opportunity, reinvestment, and tourism> and
13 inserting <sports wagering receipts>

14 42. Page 27, after line 33 by inserting:

15 <Sec. ____ Section 15E.311, subsection 3, paragraph a, Code
16 2019, is amended to read as follows:

17 a. At the end of each fiscal year, moneys in the fund
18 shall be transferred into separate accounts within the fund
19 and designated for use by each county in which no licensee
20 authorized to conduct gambling games under chapter 99F was
21 located during that fiscal year. Moneys transferred to
22 county accounts shall be divided equally among the counties.
23 Moneys transferred into an account for a county shall be
24 transferred by the department to an eligible county recipient
25 for that county. Of the moneys transferred, an eligible county
26 recipient shall distribute seventy-five percent of the moneys
27 as grants to charitable organizations for charitable purposes
28 in that county and shall retain twenty-five percent of the
29 moneys for use in establishing a permanent endowment fund
30 for the benefit of charitable organizations for charitable
31 purposes. In addition, of the moneys transferred from moneys
32 appropriated to the fund from the sports wagering receipts
33 fund created in section 8.57, subsection 6, and distributed,
34 eligible county recipients shall give consideration for grants,
35 upon application, to a charitable organization that operates

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1 a racetrack facility that conducts automobile races in that
2 county. Of the amounts distributed, eligible county recipients
3 shall give special consideration to grants for projects that
4 include significant vertical infrastructure components designed
5 to enhance quality of life aspects within local communities.
6 In addition, as a condition of receiving a grant, the governing
7 body of a charitable organization receiving a grant shall
8 approve all expenditures of grant moneys and shall allow a
9 state audit of expenditures of all grant moneys.

10 Sec. ____ Section 99B.41, Code 2019, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 1A. "Social fantasy sports contest" means
13 any fantasy or simulated game or contest in which the value
14 of all prizes and awards offered to winning participants are
15 established and made known to the participants in advance of
16 the contest and do not exceed a total of one thousand dollars

17 or equivalent consideration, all winning outcomes reflect
18 the relative knowledge and skill of the participants and
19 shall be determined by accumulated statistical results of the
20 performance of individuals in events occurring over more than
21 a twenty-four-hour period, including athletes in the case of
22 sporting events, and no winning outcome is solely based on the
23 score, point spread, or any performance or performances of
24 any single actual team or solely on any single performance of
25 an individual athlete or player in any single actual event.
26 "*Social fantasy sports contest*" does not include an internet
27 fantasy sports contest as defined in section 99E.1.
28 Sec. ____ Section 99B.45, subsection 2, Code 2019, is
29 amended by adding the following new paragraph:
30 NEW PARAGRAPH. c. A social fantasy sports contest.>
31 43. Page 28, line 3, after <chapter> by inserting <shall be
32 residents of this state and>
33 44. Page 28, by striking lines 12 through 29.
34 45. By renumbering as necessary.

ROBY SMITH

S-3177

1 Amend the amendment, S-3119, to House File 692, as passed by
2 the House, as follows:
3 1. By striking page 1, line 2, through page 53, line 35.
4 2. By striking page 57, line 34, through page 59, line 4.
5 3. By renumbering as necessary.

PAM JOCHUM

S-3178

1 Amend the amendment, S-3119, to House File 692, as passed by
2 the House, as follows:
3 1. By striking page 1, line 4, through page 59, line 4, and
4 inserting:
5 <<Sec. ____ Section 48A.5, subsection 2, paragraph c,
6 subparagraph (1), Code 2019, is amended to read as follows:
7 (1) Be at least eighteen years of age. However, for
8 purposes of voting in the primary election, an eligible elector
9 shall be at least eighteen years of age on the date of the
10 respective general election or city election. Completed
11 registration forms shall be accepted from registrants who are
12 at least ~~seventeen~~ sixteen years of age. For an election
13 other than a primary election, the registration shall not be
14 effective until the registrant reaches the age of eighteen.
15 The commissioner of registration shall ensure that the birth
16 date shown on the registration form is at least ~~seventeen~~
17 sixteen years earlier than the date the registration is
18 processed.
19 Sec. ____ Section 48A.14, subsection 1, paragraph b, Code

20 2019, is amended to read as follows:

21 **b.** The challenged registrant is less than ~~seventeen~~ sixteen
22 years of age.

23 ____. Title page, by striking lines 1 through 2 and inserting
24 <An Act relating to the registration to vote of people sixteen
25 years of age.>>

CLAIRE CELSI

S-3179

1 Amend the amendment, S-3119, to House File 692, as passed by
2 the House, as follows:

3 1. By striking page 1, line 4, through page 59, line 4, and
4 inserting:

5 <<Section 1. NEW SECTION. **68A.303A Dependent care**
6 **expenses.**

7 1. In addition to the uses permitted under sections 68A.302
8 and 68A.303, a candidate or candidate's committee may use
9 campaign funds to pay for expenses related to the care of any
10 dependent of the candidate if all of the following conditions
11 are met:

12 **a.** The expense is incurred as a direct result of campaign
13 activity.

14 **b.** The candidate would not have needed the dependent care
15 but for the candidate's candidacy for office.

16 **c.** The candidate could not participate in the campaign
17 activity without dependent care.

18 **d.** The payment to the dependent care provider is reasonable
19 and customary for the services rendered.

20 **e.** The dependent care provider is not the spouse or
21 dependent child of the candidate.

22 2. A candidate using campaign funds for dependent care
23 expenses shall keep a log detailing the date, campaign purpose,
24 length of time of care, name of dependent care provider, and
25 cost for each dependent care expense paid or owed by the
26 campaign. Such a log shall be provided to the board upon
27 request. Upon receipt of such a log, the board shall determine
28 whether the expenditure constitutes a legitimate campaign
29 expense.

30 3. For purposes of this section, "*dependent*" means the same
31 as defined in section 152 of the Internal Revenue Code.>

32 ____. Title page, by striking lines 1 and 2 and inserting
33 <An Act relating to the use of campaign funds for the payment
34 of dependent care expenses.>>

CLAIRE CELSI

S-3180

1 Amend House File 546, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 6, line 4, by striking <fifteen> and inserting
4 <thirty>
5 2. Page 6, line 5, by striking <fifteen> and inserting
6 <thirty>

COMMITTEE ON WAYS AND MEANS
RANDY FEENSTRA, Chair

S-3181

- 1 Amend the amendment, S-3119, to House File 692, as passed by
2 the House, as follows:
3 1. By striking page 1, line 4, through page 59, line 4, and
4 inserting:
5 <<Section 1. Section 47.1, Code 2019, is amended by adding
6 the following new subsection:
7 NEW SUBSECTION. 7. a. The state commissioner of elections
8 shall publish a report regarding election cybersecurity,
9 including security against foreign computer hackers, to the
10 public and the general assembly no later than December 1 of
11 each year. The report shall include the number and types of
12 incursions into the statewide voter registration database,
13 including the approximate number of attempts and the details of
14 any successful breaches.
15 b. Within thirty days of discovery of a breach into the
16 statewide voter registration database, the commissioner shall
17 inform the public of the breach.>
18 _____. Title page, by striking lines 1 and 2 and inserting <An
19 Act relating to election cybersecurity reporting.>>

CLAIRE CELSI

S-3182

- 1 Amend Senate File 617 as follows:
2 1. Page 16, line 6, after <event.> by inserting <However,
3 until May 1, 2020, “fantasy sports contest” does not include
4 any fantasy or simulated game or contest in which any winning
5 outcomes are based on statistical results from a collegiate
6 sporting event as defined in section 99F.1.>
7 2. Page 26, line 31, by striking <state philanthropy,
8 opportunity, reinvestment, and tourism> and inserting <sports
9 wagering receipts>

ROBY SMITH

S-3183

HOUSE AMENDMENT TO SENATE FILE 409

- 1 Amend Senate File 409, as amended, passed, and reprinted by

- 2 the Senate, as follows:
 3 1. Page 5, by striking lines 14 through 27.
 4 2. By renumbering as necessary.

S-3184

HOUSE AMENDMENT TO
 SENATE FILE 227

- 1 Amend Senate File 227, as passed by the Senate, as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 321.37, subsection 2, Code 2019, is
 5 amended to read as follows:
 6 2. ~~Registration plates issued for~~ Notwithstanding
 7 ~~subsection 1,~~ a motor vehicle which is ~~twenty-five~~ model ~~year~~
 8 ~~1948 years old~~ or older, ~~and or a~~ reconstructed or specially
 9 constructed ~~vehicles~~ ~~vehicle~~ built to resemble a ~~vehicle~~
 10 ~~which is twenty-five~~ model ~~year 1948 vehicle~~ ~~years old~~ or
 11 older, other than a truck registered for more than five tons,
 12 autocycle, motorcycle, or truck tractor, may display one
 13 registration plate on the rear of the vehicle if the other
 14 registration plate issued to the vehicle is carried in the
 15 vehicle at all times when the vehicle is operated on a public
 16 highway.
 17 Sec. 2. STUDY AND REPORT. The department of transportation
 18 and the department of public safety shall jointly conduct a
 19 study on the means available to identify a motor vehicle from
 20 the front of the vehicle other than the display of a front
 21 registration plate. The departments shall jointly submit
 22 the results of the study, along with any recommendations, in
 23 electronic form to the general assembly on or before December
 24 31, 2019.>

S-3185

- 1 Amend House File 758, as amended, passed, and reprinted by
 2 the House, as follows:
 3 1. By striking everything after the enacting clause and
 4 inserting:
 5 <DIVISION I
 6 FY 2019–2020 APPROPRIATIONS
 7 DEPARTMENT FOR THE BLIND
 8 Section 1. ADMINISTRATION. There is appropriated from
 9 the general fund of the state to the department for the blind
 10 for the fiscal year beginning July 1, 2019, and ending June
 11 30, 2020, the following amounts, or so much thereof as is
 12 necessary, to be used for the purposes designated:
 13 For salaries, support, maintenance, and miscellaneous
 14 purposes, and for not more than the following full-time
 15 equivalent positions:
 16 \$ 2,247,499

| | | |
|----|---|---------|
| 17 | FTEs | 79.00 |
| 18 | COLLEGE STUDENT AID COMMISSION | |
| 19 | Sec. 2. There is appropriated from the general fund of the | |
| 20 | state to the college student aid commission for the fiscal year | |
| 21 | beginning July 1, 2019, and ending June 30, 2020, the following | |
| 22 | amounts, or so much thereof as is necessary, to be used for the | |
| 23 | purposes designated: | |
| 24 | 1. ADMINISTRATION | |
| 25 | a. For general administration salaries, support, | |
| 26 | maintenance, and miscellaneous purposes, and for not more than | |
| 27 | the following full-time equivalent positions: | |
| 28 | \$ | 429,279 |
| 29 | FTEs | 3.95 |
| 30 | b. For the administration of the future ready Iowa skilled | |
| 31 | workforce last-dollar scholarship program, including salaries, | |
| 32 | support, maintenance, and miscellaneous purposes, and for not | |
| 33 | more than the following full-time equivalent positions: | |
| 34 | \$ | 130,254 |
| 35 | FTEs | 1.00 |

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| 1 | 2. HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM | |
| 2 | For the loan repayment program for health care professionals | |
| 3 | established pursuant to section 261.115: | |
| 4 | \$ | 400,973 |
| 5 | 3. NATIONAL GUARD SERVICE SCHOLARSHIP PROGRAM | |
| 6 | For purposes of providing national guard service scholarship | |
| 7 | under the program established in section 261.86: | |
| 8 | \$ | 4,700,000 |
| 9 | Moneys appropriated pursuant to this subsection may be | |
| 10 | distributed to a public university that purchased an Iowa | |
| 11 | for-profit accredited private institution effective March 22, | |
| 12 | 2018, whose students were eligible members of the national | |
| 13 | guard who received educational assistance under the national | |
| 14 | guard educational assistance program in the fiscal year | |
| 15 | beginning July 1, 2018, if the students continue to meet the | |
| 16 | requirements of section 261.86. | |
| 17 | 4. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM | |
| 18 | a. For purposes of the all Iowa opportunity scholarship | |
| 19 | program established pursuant to section 261.87: | |
| 20 | \$ | 2,840,854 |
| 21 | b. For the fiscal year beginning July 1, 2019, if the moneys | |
| 22 | appropriated by the general assembly to the college student aid | |
| 23 | commission for purposes of the all Iowa opportunity scholarship | |
| 24 | program exceed \$500,000, "eligible institution" as defined in | |
| 25 | section 261.87 shall, during the fiscal year beginning July 1, | |
| 26 | 2019, include accredited private institutions as defined in | |
| 27 | section 261.9. | |
| 28 | 5. TEACH IOWA SCHOLAR PROGRAM | |
| 29 | For purposes of the teach Iowa scholar program established | |
| 30 | pursuant to section 261.110: | |

| | | | |
|----|--|----|-----------|
| 31 | ..... | \$ | 400,000 |
| 32 | 6. RURAL IOWA PRIMARY CARE LOAN REPAYMENT PROGRAM | | |
| 33 | For purposes of the rural Iowa primary care loan repayment | | |
| 34 | program established pursuant to section 261.113: | | |
| 35 | ..... | \$ | 1,124,502 |

Page 3

| | | | |
|----|---|------|------------|
| 1 | 7. HEALTH CARE LOAN REPAYMENT PROGRAM | | |
| 2 | For purposes of the health care loan repayment program | | |
| 3 | established pursuant to section 261.116: | | |
| 4 | ..... | \$ | 200,000 |
| 5 | 8. FUTURE READY IOWA SKILLED WORKFORCE LAST-DOLLAR | | |
| 6 | SCHOLARSHIP PROGRAM | | |
| 7 | For deposit in the future ready Iowa skilled workforce | | |
| 8 | last-dollar scholarship fund established pursuant to section | | |
| 9 | 261.131, as enacted by 2018 Iowa Acts, chapter 1067, section | | |
| 10 | 12, as amended by 2018 Iowa Acts, chapter 1172, section 24: | | |
| 11 | ..... | \$ | 11,700,000 |
| 12 | Sec. 3. CHIROPRACTIC LOAN FUNDS. Notwithstanding section | | |
| 13 | 261.72, the moneys deposited in the chiropractic loan revolving | | |
| 14 | fund created pursuant to section 261.72, for the fiscal year | | |
| 15 | beginning July 1, 2019, and ending June 30, 2020, may be used | | |
| 16 | for purposes of the chiropractic loan forgiveness program | | |
| 17 | established in section 261.73. | | |
| 18 | Sec. 4. WORK-STUDY APPROPRIATION. Notwithstanding section | | |
| 19 | 261.85, for the fiscal year beginning July 1, 2019, and ending | | |
| 20 | June 30, 2020, the amount appropriated from the general fund | | |
| 21 | of the state to the college student aid commission for the | | |
| 22 | work-study program under section 261.85 shall be zero. | | |
| 23 | DEPARTMENT OF EDUCATION | | |
| 24 | Sec. 5. There is appropriated from the general fund of | | |
| 25 | the state to the department of education for the fiscal year | | |
| 26 | beginning July 1, 2019, and ending June 30, 2020, the following | | |
| 27 | amounts, or so much thereof as is necessary, to be used for the | | |
| 28 | purposes designated: | | |
| 29 | 1. GENERAL ADMINISTRATION | | |
| 30 | a. For salaries, support, maintenance, and miscellaneous | | |
| 31 | purposes, and for not more than the following full-time | | |
| 32 | equivalent positions: | | |
| 33 | ..... | \$ | 5,949,047 |
| 34 | ..... | FTEs | 60.43 |
| 35 | b. By January 15, 2020, the department shall submit | | |

Page 4

| | |
|---|---|
| 1 | a written report to the general assembly detailing the |
| 2 | department's antibullying programming and current and projected |
| 3 | expenditures for such programming for the fiscal year beginning |
| 4 | July 1, 2019. |
| 5 | 2. CAREER AND TECHNICAL EDUCATION ADMINISTRATION |
| 6 | For salaries, support, maintenance, and miscellaneous |

| | | | |
|----|---|----|-----------|
| 7 | purposes, and for not more than the following full-time | | |
| 8 | equivalent positions: | | |
| 9 | ..... | \$ | 598,197 |
| 10 | FTEs | | 9.82 |
| 11 | 3. VOCATIONAL REHABILITATION SERVICES DIVISION | | |
| 12 | a. For salaries, support, maintenance, and miscellaneous | | |
| 13 | purposes, and for not more than the following full-time | | |
| 14 | equivalent positions: | | |
| 15 | ..... | \$ | 5,677,908 |
| 16 | FTEs | | 245.00 |
| 17 | For purposes of optimizing the job placement of individuals | | |
| 18 | with disabilities, the division shall make its best efforts | | |
| 19 | to work with community rehabilitation program providers for | | |
| 20 | job placement and retention services for individuals with | | |
| 21 | significant disabilities and most significant disabilities. By | | |
| 22 | January 15, 2020, the division shall submit a written report to | | |
| 23 | the general assembly regarding the division's outreach efforts | | |
| 24 | with community rehabilitation program providers. | | |
| 25 | b. For matching moneys for programs to enable persons | | |
| 26 | with severe physical or mental disabilities to function more | | |
| 27 | independently, including salaries and support, and for not more | | |
| 28 | than the following full-time equivalent position: | | |
| 29 | ..... | \$ | 84,823 |
| 30 | FTEs | | 1.00 |
| 31 | c. For the entrepreneurs with disabilities program | | |
| 32 | established pursuant to section 259.4, subsection 9: | | |
| 33 | ..... | \$ | 138,506 |
| 34 | d. For costs associated with centers for independent | | |
| 35 | living: | | |

Page 5

| | | | |
|----|---|----|-----------|
| 1 | ..... | \$ | 86,457 |
| 2 | 4. STATE LIBRARY | | |
| 3 | a. For salaries, support, maintenance, and miscellaneous | | |
| 4 | purposes, and for not more than the following full-time | | |
| 5 | equivalent positions: | | |
| 6 | ..... | \$ | 2,530,063 |
| 7 | FTEs | | 29.00 |
| 8 | b. For the enrich Iowa program established under section | | |
| 9 | 256.57: | | |
| 10 | ..... | \$ | 2,464,823 |
| 11 | 5. PUBLIC BROADCASTING DIVISION | | |
| 12 | For salaries, support, maintenance, capital expenditures, | | |
| 13 | and miscellaneous purposes, and for not more than the following | | |
| 14 | full-time equivalent positions: | | |
| 15 | ..... | \$ | 7,739,415 |
| 16 | FTEs | | 60.35 |
| 17 | 6. CAREER AND TECHNICAL EDUCATION | | |
| 18 | For reimbursement for career and technical education | | |
| 19 | expenditures made by regional career and technical education | | |
| 20 | planning partnerships in accordance with section 258.14: | | |

| | | | |
|----|---|------|------------|
| 21 | ..... | \$ | 2,630,134 |
| 22 | 7. SCHOOL FOOD SERVICE | | |
| 23 | For use as state matching moneys for federal programs that | | |
| 24 | shall be disbursed according to federal regulations, including | | |
| 25 | salaries, support, maintenance, and miscellaneous purposes, and | | |
| 26 | for not more than the following full-time equivalent positions: | | |
| 27 | ..... | \$ | 2,176,797 |
| 28 | ..... | FTEs | 23.65 |
| 29 | 8. EARLY CHILDHOOD IOWA FUND — GENERAL AID | | |
| 30 | For deposit in the school ready children grants account of | | |
| 31 | the early childhood Iowa fund created in section 256I.11: | | |
| 32 | ..... | \$ | 22,162,799 |
| 33 | a. From the moneys deposited in the school ready children | | |
| 34 | grants account for the fiscal year beginning July 1, 2019, and | | |
| 35 | ending June 30, 2020, not more than \$265,950 is allocated for | | |

Page 6

1 the early childhood Iowa office and other technical assistance
2 activities. Moneys allocated under this lettered paragraph
3 may be used by the early childhood Iowa state board for the
4 purpose of skills development and support for ongoing training
5 of staff. However, except as otherwise provided in this
6 subsection, moneys shall not be used for additional staff or
7 for the reimbursement of staff.
8 b. Of the amount appropriated in this subsection for
9 deposit in the school ready children grants account of the
10 early childhood Iowa fund, \$2,318,018 shall be used for efforts
11 to improve the quality of early care, health, and education
12 programs. Moneys allocated pursuant to this paragraph may be
13 used for additional staff and for the reimbursement of staff.
14 The early childhood Iowa state board may reserve a portion
15 of the allocation, not to exceed \$88,650 for the technical
16 assistance expenses of the early childhood Iowa state office,
17 including the reimbursement of staff, and shall distribute
18 the remainder to early childhood Iowa areas for local quality
19 improvement efforts through a methodology identified by the
20 early childhood Iowa state board to make the most productive
21 use of the funding, which may include use of the distribution
22 formula, grants, or other means.
23 c. Of the amount appropriated in this subsection for
24 deposit in the school ready children grants account of
25 the early childhood Iowa fund, \$825,030 shall be used for
26 support of professional development and training activities
27 for persons working in early care, health, and education by
28 the early childhood Iowa state board in collaboration with
29 the professional development component groups maintained by
30 the early childhood Iowa stakeholders alliance pursuant to
31 section 256I.12, subsection 7, paragraph “b”, and the early
32 childhood Iowa area boards. Expenditures shall be limited to
33 professional development and training activities agreed upon by
34 the parties participating in the collaboration.

35 9. BIRTH TO AGE THREE SERVICES

Page 7

- 1 a. For expansion of the federal Individuals with
 2 Disabilities Education Improvement Act of 2004, Pub. L. No.
 3 108-446, as amended to January 1, 2018, birth through age three
 4 services due to increased numbers of children qualifying for
 5 those services:
- | | | |
|---------|----|-----------|
| 6 | \$ | 1,721,400 |
|---------|----|-----------|
- 7 b. From the moneys appropriated in this subsection,
 8 \$383,769 shall be allocated to the child health specialty
 9 clinics administered by the state university of Iowa in order
 10 to provide additional support for infants and toddlers who are
 11 born prematurely, drug-exposed, or medically fragile.
- 12 10. EARLY HEAD START PROJECTS
- 13 a. For early head start projects:
- | | | |
|----------|----|---------|
| 14 | \$ | 574,500 |
|----------|----|---------|
- 15 b. The moneys appropriated in this subsection shall be
 16 used for implementation and expansion of early head start
 17 pilot projects addressing the comprehensive cognitive, social,
 18 emotional, and developmental needs of children from birth to
 19 age three, including prenatal support for qualified families.
 20 The projects shall promote healthy prenatal outcomes and
 21 healthy family functioning, and strengthen the development of
 22 infants and toddlers in low-income families. Priority shall be
 23 given to those organizations that have previously qualified for
 24 and received state funding to administer an early head start
 25 project.
- 26 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
- 27 a. To provide moneys for costs of providing textbooks
 28 to each resident pupil who attends a nonpublic school as
 29 authorized by section 301.1:
- | | | |
|----------|----|---------|
| 30 | \$ | 852,000 |
|----------|----|---------|
- 31 b. Funding under this subsection is limited to \$25 per
 32 pupil and shall not exceed the comparable services offered to
 33 resident public school pupils.
- 34 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM
- 35 For purposes of the student achievement and teacher quality

Page 8

- 1 program established pursuant to chapter 284, and for not more
 2 than the following full-time equivalent positions:
- | | | |
|---------|------|-----------|
| 3 | \$ | 2,965,467 |
| 4 | FTEs | 5.90 |
- 5 13. STATEWIDE STUDENT ASSESSMENT
- 6 For distribution to the Iowa testing program by the
 7 department of education on behalf of school districts and
 8 accredited nonpublic schools to offset the costs associated
 9 with a statewide student assessment administered in accordance
 10 with section 256.7, subsection 21, paragraph "b":

| | | | |
|----|--|----|-----------|
| 11 | ..... | \$ | 3,000,000 |
| 12 | From the moneys appropriated in this subsection, not more | | |
| 13 | than \$300,000 shall be distributed to the Iowa testing programs | | |
| 14 | within the university of Iowa college of education to offset | | |
| 15 | the costs of administering the statewide student assessment at | | |
| 16 | accredited nonpublic schools. | | |
| 17 | 14. STATEWIDE CLEARINGHOUSE TO EXPAND WORK-BASED LEARNING | | |
| 18 | For support costs associated with the creation of a | | |
| 19 | statewide clearinghouse to expand work-based learning as a part | | |
| 20 | of the future ready Iowa initiative: | | |
| 21 | ..... | \$ | 250,000 |
| 22 | 15. POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS | | |
| 23 | PROGRAM | | |
| 24 | For support costs associated with the creation of a | | |
| 25 | program to provide additional funds for resident high school | | |
| 26 | pupils enrolled in grades 9 through 12 to attend a community | | |
| 27 | college for college-level classes or attend a class taught | | |
| 28 | by a community college-employed instructor during the summer | | |
| 29 | and outside of the regular school year through a contractual | | |
| 30 | agreement between a community college and a school district | | |
| 31 | under the future ready Iowa initiative: | | |
| 32 | ..... | \$ | 600,000 |
| 33 | Notwithstanding section 8.33, moneys received by the | | |
| 34 | department pursuant to this subsection that remain unencumbered | | |
| 35 | or unobligated at the close of the fiscal year shall not revert | | |

Page 9

| | | | |
|----|--|----|-----------|
| 1 | but shall remain available for expenditure for the purposes | | |
| 2 | specified in this subsection for the following fiscal year. | | |
| 3 | 16. JOBS FOR AMERICA'S GRADUATES | | |
| 4 | For school districts to provide direct services to the | | |
| 5 | most at-risk middle school or high school students enrolled | | |
| 6 | in school districts through direct intervention by a jobs for | | |
| 7 | America's graduates specialist: | | |
| 8 | ..... | \$ | 2,666,188 |
| 9 | 17. ATTENDANCE CENTER PERFORMANCE/GENERAL INTERNET SITE AND | | |
| 10 | DATA SYSTEM SUPPORT | | |
| 11 | For administration of a process for school districts to | | |
| 12 | establish specific performance goals and to evaluate the | | |
| 13 | performance of each attendance center operated by the district | | |
| 14 | in order to arrive at an overall school performance grade and | | |
| 15 | report card for each attendance center, for internet site | | |
| 16 | and data system support, and for not more than the following | | |
| 17 | full-time equivalent positions: | | |
| 18 | ..... | \$ | 250,000 |
| 19 | FTEs | | 1.95 |
| 20 | 18. ONLINE STATE JOB POSTING SYSTEM | | |
| 21 | For purposes of administering the online state job posting | | |
| 22 | system in accordance with section 256.27: | | |
| 23 | ..... | \$ | 230,000 |
| 24 | 19. SUCCESSFUL PROGRESSION FOR EARLY READERS | | |

| | | |
|----|--|-----------|
| 25 | For distribution to school districts for implementation | |
| 26 | of section 279.68, subsection 2, relating to successful | |
| 27 | progression for early readers: | |
| 28 | \$ | 7,824,782 |
| 29 | 20. EARLY WARNING SYSTEM FOR LITERACY | |
| 30 | For purposes of purchasing a statewide license for an early | |
| 31 | warning assessment and administering the early warning system | |
| 32 | for literacy established in accordance with section 279.68 and | |
| 33 | rules adopted in accordance with section 256.7, subsection 31: | |
| 34 | \$ | 1,915,000 |
| 35 | The department shall administer and distribute to school | |

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| | | |
|----|---|-----------|
| 1 | districts and accredited nonpublic schools the early warning | |
| 2 | assessment system that allows teachers to screen and monitor | |
| 3 | student literacy skills from prekindergarten through grade | |
| 4 | six. The department may charge school districts and accredited | |
| 5 | nonpublic schools a fee for the system not to exceed the actual | |
| 6 | costs to purchase a statewide license for the early warning | |
| 7 | assessment minus the moneys received by the department under | |
| 8 | this subsection. The fee shall be determined by dividing the | |
| 9 | actual remaining costs to purchase the statewide license for | |
| 10 | the school year by the number of pupils assessed under the | |
| 11 | system in the current fiscal year. School districts may use | |
| 12 | moneys received pursuant to section 257.10, subsection 11, and | |
| 13 | moneys received for purposes of implementing section 279.68, | |
| 14 | subsection 2, to pay the early warning assessment system fee. | |
| 15 | 21. IOWA READING RESEARCH CENTER | |
| 16 | a. For purposes of the Iowa reading research center in | |
| 17 | order to implement, in collaboration with the area education | |
| 18 | agencies, the provisions of section 256.9, subsection 49, | |
| 19 | paragraph “c”: | |
| 20 | \$ | 1,300,176 |
| 21 | b. Notwithstanding section 8.33, moneys received by the | |
| 22 | department pursuant to this subsection that remain unencumbered | |
| 23 | or unobligated at the close of the fiscal year shall not revert | |
| 24 | but shall remain available for expenditure for the purposes | |
| 25 | specified in this subsection for the following fiscal year. | |
| 26 | 22. COMPUTER SCIENCE PROFESSIONAL DEVELOPMENT INCENTIVE | |
| 27 | FUND | |
| 28 | For deposit in the computer science professional development | |
| 29 | incentive fund established under section 284.6A: | |
| 30 | \$ | 500,000 |
| 31 | 23. BEST BUDDIES IOWA | |
| 32 | For school districts to create opportunities for one-to-one | |
| 33 | friendships, integrated employment, and leadership development | |
| 34 | for students with intellectual and developmental disabilities: | |
| 35 | \$ | 25,000 |

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1 The department of education shall establish criteria for
2 the distribution of moneys appropriated under this subsection
3 and shall require an organization receiving moneys under this
4 subsection to annually report student identifying data for
5 students participating in the program to the department in the
6 manner prescribed by the department as a condition of receiving
7 such moneys.

8 24. ADULT EDUCATION AND LITERACY PROGRAMS

9 For distribution as grants to community colleges for
10 the purpose of adult basic education programs for students
11 requiring instruction in English as a second language:

12 \$ 500,000

13 In issuing grants under this subsection, the department
14 shall use the same application process and criteria as are
15 used for purposes of awarding grants to community colleges for
16 the purpose of adult basic education programs for students
17 requiring instruction in English as a second language using
18 moneys that are appropriated to the department from the Iowa
19 skilled worker and job creation fund.

20 25. MIDWESTERN HIGHER EDUCATION COMPACT

21 a. For distribution to the midwestern higher education
22 compact to pay Iowa's member state annual obligation:

23 \$ 115,000

24 b. Notwithstanding section 8.33, moneys appropriated
25 for distribution to the midwestern higher education compact
26 pursuant to this subsection that remain unencumbered or
27 unobligated at the close of the fiscal year shall not revert
28 but shall remain available for expenditure for the purpose
29 designated until the close of the succeeding fiscal year.

30 26. COMMUNITY COLLEGES

31 For general state financial aid to merged areas as defined in
32 section 260C.2 in accordance with chapters 258 and 260C:

33 \$ 207,377,779

34 Notwithstanding the allocation formula in section 260C.18C,
35 the moneys appropriated in this subsection shall be allocated

Page 12

1 as follows:

- 2 a. Merged Area I
- 3 \$ 10,228,930
- 4 b. Merged Area II
- 5 \$ 10,369,958
- 6 c. Merged Area III
- 7 \$ 9,594,760
- 8 d. Merged Area IV
- 9 \$ 4,723,662
- 10 e. Merged Area V
- 11 \$ 11,740,301
- 12 f. Merged Area VI

| | | | |
|----|---|----|------------|
| 13 | ..... | \$ | 9,200,681 |
| 14 | g. Merged Area VII | | |
| 15 | ..... | \$ | 13,981,465 |
| 16 | h. Merged Area IX | | |
| 17 | ..... | \$ | 17,712,574 |
| 18 | i. Merged Area X | | |
| 19 | ..... | \$ | 32,424,874 |
| 20 | j. Merged Area XI | | |
| 21 | ..... | \$ | 34,747,231 |
| 22 | k. Merged Area XII | | |
| 23 | ..... | \$ | 11,504,353 |
| 24 | l. Merged Area XIII | | |
| 25 | ..... | \$ | 12,496,077 |
| 26 | m. Merged Area XIV | | |
| 27 | ..... | \$ | 4,815,155 |
| 28 | n. Merged Area XV | | |
| 29 | ..... | \$ | 15,105,712 |
| 30 | o. Merged Area XVI | | |
| 31 | ..... | \$ | 8,732,045 |
| 32 | Sec. 6. LIMITATIONS OF STANDING APPROPRIATION FOR AT-RISK | | |

33 CHILDREN. Notwithstanding the standing appropriation in
 34 section 279.51 for the fiscal year beginning July 1, 2019, and
 35 ending June 30, 2020, the amount appropriated from the general

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1 fund of the state to the department of education for programs
 2 for at-risk children under section 279.51 shall be not more
 3 than \$10,524,389. The amount of any reduction in this section
 4 shall be prorated among the programs specified in section
 5 279.51, subsection 1, paragraphs “a”, “b”, and “c”.

6 Sec. 7. 2017 Iowa Acts, chapter 172, section 50, subsection
 7 5, as amended by 2018 Iowa Acts, chapter 1163, section 4, is
 8 amended to read as follows:

9 5. PUBLIC BROADCASTING DIVISION

10 For salaries, support, maintenance, capital expenditures,
 11 and miscellaneous purposes, and for not more than the following
 12 full-time equivalent positions:

| | | | |
|----|------------|----|------------------|
| 13 | ..... | \$ | 7,589,415 |
| 14 | | | <u>7,689,415</u> |
| 15 | FTEs | | 60.17 |

16 Notwithstanding section 8.33, moneys received by the
 17 department pursuant to this subsection that remain unencumbered
 18 or unobligated at the close of the fiscal year shall not revert
 19 but shall remain available for expenditure for the purposes
 20 specified in this subsection for the following fiscal year.

21 Sec. 8. 2017 Iowa Acts, chapter 172, section 50, subsection
 22 12C, as enacted by 2018 Iowa Acts, chapter 1163, section 4, is
 23 amended to read as follows:

24 12C. POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS
 25 PROGRAM

26 For support costs associated with the creation of a program

27 to provide additional funds for resident high school pupils
28 enrolled in grades 9–12 to attend a community college for
29 college-level classes or attend a class taught by a community
30 college-employed instructor during the summer and outside of
31 the regular school year through a contractual agreement between
32 a community college and a school district under the future
33 ready Iowa initiative:
34 \$ 600,000
35 Notwithstanding section 8.33, moneys received by the

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1 department pursuant to this subsection that remain unencumbered
2 or unobligated at the close of the fiscal year shall not revert
3 but shall remain available for expenditure for the purposes
4 specified in this subsection for the following fiscal year.
5 STATE BOARD OF REGENTS
6 Sec. 9. There is appropriated from the general fund of
7 the state to the state board of regents for the fiscal year
8 beginning July 1, 2019, and ending June 30, 2020, the following
9 amounts, or so much thereof as is necessary, to be used for the
10 purposes designated:
11 1. OFFICE OF STATE BOARD OF REGENTS
12 a. For salaries, support, maintenance, and miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions:
15 \$ 775,655
16 FTEs 2.48
17 The state board of regents shall submit a monthly financial
18 report in a format agreed upon by the state board of regents
19 office and the legislative services agency. The report
20 submitted in December 2019 shall include the five-year
21 graduation rates for the regents universities.
22 b. For moneys to be allocated to the western Iowa regents
23 resource center:
24 \$ 272,161
25 c. For moneys to be distributed to Iowa public radio for
26 public radio operations:
27 \$ 350,648
28 d. For allocation by the state board of regents to the state
29 university of Iowa, the Iowa state university of science and
30 technology, and the university of northern Iowa to support
31 new strategic initiatives, meet needs caused by enrollment
32 increases, meet the demand for new courses and services, to
33 fund new but unavoidable or mandated cost increases, and to
34 support any other initiatives important to the core functions
35 of the universities:

Page 15

1 \$ 12,000,000
2 2. STATE UNIVERSITY OF IOWA

| | | | |
|----|---|---------------|-----------|
| 3 | a. General university | | |
| 4 | For salaries, support, maintenance, equipment, financial | | |
| 5 | aid, and miscellaneous purposes, and for not more than the | | |
| 6 | following full-time equivalent positions: | | |
| 7 | ..... | \$214,710,793 | |
| 8 | ..... | FTEs | 5,058.55 |
| 9 | b. Oakdale campus | | |
| 10 | For salaries, support, maintenance, and miscellaneous | | |
| 11 | purposes, and for not more than the following full-time | | |
| 12 | equivalent positions: | | |
| 13 | ..... | \$ | 2,134,120 |
| 14 | ..... | FTEs | 38.25 |
| 15 | c. State hygienic laboratory | | |
| 16 | For salaries, support, maintenance, and miscellaneous | | |
| 17 | purposes, and for not more than the following full-time | | |
| 18 | equivalent positions: | | |
| 19 | ..... | \$ | 4,297,032 |
| 20 | ..... | FTEs | 102.51 |
| 21 | d. Family practice program | | |
| 22 | For allocation by the dean of the college of medicine, with | | |
| 23 | approval of the advisory board, to qualified participants | | |
| 24 | to carry out the provisions of chapter 148D for the family | | |
| 25 | practice residency education program, including salaries | | |
| 26 | and support, and for not more than the following full-time | | |
| 27 | equivalent positions: | | |
| 28 | ..... | \$ | 1,745,379 |
| 29 | ..... | FTEs | 2.71 |
| 30 | e. Child health care services | | |
| 31 | For specialized child health care services, including | | |
| 32 | childhood cancer diagnostic and treatment network programs, | | |
| 33 | rural comprehensive care for hemophilia patients, and the | | |
| 34 | Iowa high-risk infant follow-up program, including salaries | | |
| 35 | and support, and for not more than the following full-time | | |

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| | | | |
|----|--|------|---------|
| 1 | equivalent positions: | | |
| 2 | | \$ | 643,641 |
| 3 | | FTEs | 4.16 |
| 4 | f. Statewide cancer registry | | |
| 5 | For the statewide cancer registry, and for not more than the | | |
| 6 | following full-time equivalent positions: | | |
| 7 | ..... | \$ | 145,476 |
| 8 | ..... | FTEs | 0.08 |
| 9 | g. Substance abuse consortium | | |
| 10 | For moneys to be allocated to the Iowa consortium for | | |
| 11 | substance abuse research and evaluation, and for not more than | | |
| 12 | the following full-time equivalent position: | | |
| 13 | ..... | \$ | 54,197 |
| 14 | ..... | FTEs | 0.99 |
| 15 | h. Center for biocatalysis | | |
| 16 | For the center for biocatalysis, and for not more than the | | |

| | | | |
|----|--|------|---------|
| 17 | following full-time equivalent positions: | | |
| 18 | ..... | \$ | 706,371 |
| 19 | ..... | FTEs | 1.67 |
| 20 | i. Primary health care initiative | | |
| 21 | For the primary health care initiative in the college | | |
| 22 | of medicine, and for not more than the following full-time | | |
| 23 | equivalent positions: | | |
| 24 | ..... | \$ | 633,367 |
| 25 | ..... | FTEs | 6.23 |
| 26 | From the moneys appropriated in this lettered paragraph, | | |
| 27 | \$254,889 shall be allocated to the department of family | | |
| 28 | practice at the state university of Iowa college of medicine | | |
| 29 | for family practice faculty and support staff. | | |
| 30 | j. Birth defects registry | | |
| 31 | For the birth defects registry, and for not more than the | | |
| 32 | following full-time equivalent position: | | |
| 33 | ..... | \$ | 37,370 |
| 34 | ..... | FTEs | 0.38 |
| 35 | k. Larned A. Waterman Iowa nonprofit resource center | | |

Page 17

| | | | |
|----|--|------|-------------|
| 1 | For the Larned A. Waterman Iowa nonprofit resource center, | | |
| 2 | and for not more than the following full-time equivalent | | |
| 3 | positions: | | |
| 4 | ..... | \$ | 158,641 |
| 5 | ..... | FTEs | 1.88 |
| 6 | l. Iowa online advanced placement academy science, | | |
| 7 | technology, engineering, and mathematics initiative | | |
| 8 | For the establishment of the Iowa online advanced placement | | |
| 9 | academy science, technology, engineering, and mathematics | | |
| 10 | initiative established pursuant to section 263.8A: | | |
| 11 | ..... | \$ | 470,293 |
| 12 | m. Iowa flood center | | |
| 13 | For the Iowa flood center for use by the university's college | | |
| 14 | of engineering pursuant to section 466C.1: | | |
| 15 | ..... | \$ | 1,171,222 |
| 16 | 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY | | |
| 17 | a. General university | | |
| 18 | For salaries, support, maintenance, equipment, financial | | |
| 19 | aid, and miscellaneous purposes, and for not more than the | | |
| 20 | following full-time equivalent positions: | | |
| 21 | ..... | \$ | 170,624,125 |
| 22 | ..... | FTEs | 3,647.42 |
| 23 | b. Agricultural experiment station | | |
| 24 | For the agricultural experiment station salaries, support, | | |
| 25 | maintenance, and miscellaneous purposes, and for not more than | | |
| 26 | the following full-time equivalent positions: | | |
| 27 | ..... | \$ | 29,886,877 |
| 28 | ..... | FTEs | 546.98 |
| 29 | c. Cooperative extension service in agriculture and home | | |
| 30 | economics | | |

| | | | |
|----|---|----|------------|
| 31 | For the cooperative extension service in agriculture | | |
| 32 | and home economics salaries, support, maintenance, and | | |
| 33 | miscellaneous purposes, and for not more than the following | | |
| 34 | full-time equivalent positions: | | |
| 35 | | \$ | 18,266,722 |

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| | | | |
|----|---|------|------------|
| 1 | | FTEs | 382.34 |
| 2 | d. Livestock disease research | | |
| 3 | For deposit in and the use of the livestock disease research | | |
| 4 | fund under section 267.8: | | |
| 5 | ..... | \$ | 172,844 |
| 6 | 4. UNIVERSITY OF NORTHERN IOWA | | |
| 7 | a. General university | | |
| 8 | For salaries, support, maintenance, equipment, financial | | |
| 9 | aid, and miscellaneous purposes, and for not more than the | | |
| 10 | following full-time equivalent positions: | | |
| 11 | ..... | \$ | 95,712,362 |
| 12 | ..... | FTEs | 1,346.66 |
| 13 | b. Recycling and reuse center | | |
| 14 | For purposes of the recycling and reuse center, and for not | | |
| 15 | more than the following full-time equivalent positions: | | |
| 16 | ..... | \$ | 175,256 |
| 17 | ..... | FTEs | 1.93 |
| 18 | c. Science, technology, engineering, and mathematics (STEM) | | |
| 19 | collaborative initiative | | |
| 20 | For purposes of the science, technology, engineering, | | |
| 21 | and mathematics (STEM) collaborative initiative established | | |
| 22 | pursuant to section 268.7, and for not more than the following | | |
| 23 | full-time equivalent positions: | | |
| 24 | ..... | \$ | 5,746,375 |
| 25 | ..... | FTEs | 5.50 |
| 26 | (1) Except as otherwise provided in this lettered | | |
| 27 | paragraph, the moneys appropriated in this lettered paragraph | | |
| 28 | shall be expended for salaries, staffing, institutional | | |
| 29 | support, activities directly related to recruitment of | | |
| 30 | kindergarten through grade 12 mathematics and science teachers, | | |
| 31 | and for ongoing mathematics and science programming for | | |
| 32 | students enrolled in kindergarten through grade 12. | | |
| 33 | (2) The university of northern Iowa shall work with the | | |
| 34 | community colleges to develop STEM professional development | | |
| 35 | programs for community college instructors and STEM curriculum | | |

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1 development.

2 (3) From the moneys appropriated in this lettered

3 paragraph, not less than \$500,000 shall be used to provide

4 technology education opportunities to high school,

5 career academy, and community college students through a

6 public-private partnership, as well as opportunities for

7 students and faculties at these institutions to secure
8 broad-based information technology certification. The
9 partnership shall provide all of the following:
10 (a) A research-based curriculum.
11 (b) Online access to the curriculum.
12 (c) Instructional software for classroom and student use.
13 (d) Certification of skills and competencies in a broad base
14 of information technology-related skill areas.
15 (e) Professional development for teachers.
16 (f) Deployment and program support, including but not
17 limited to integration with current curriculum standards.
18 (4) Notwithstanding section 8.33, of the moneys
19 appropriated in this paragraph “c” that remain unencumbered
20 or unobligated at the close of the fiscal year, an amount
21 equivalent to not more than 5 percent of the amount
22 appropriated in this paragraph “c” shall not revert but shall
23 remain available for expenditure for summer programs for
24 students until the close of the succeeding fiscal year.
25 d. Real estate education program
26 For purposes of the real estate education program, and for
27 not more than the following full-time equivalent position:
28 \$ 125,302
29 FTEs 0.86
30 5. STATE SCHOOL FOR THE DEAF
31 For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:
34 \$ 10,202,249
35 FTEs 101.84

Page 20

1 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:
5 \$ 4,253,614
6 FTEs 58.00
7 Sec. 10. ENERGY COST-SAVINGS PROJECTS — FINANCING. For
8 the fiscal year beginning July 1, 2019, and ending June 30,
9 2020, the state board of regents may use notes, bonds, or
10 other evidences of indebtedness issued under section 262.48 to
11 finance projects that will result in energy cost savings in an
12 amount that will cause the state board to recover the cost of
13 the projects within an average of six years.
14 Sec. 11. PRESCRIPTION DRUG COSTS. Notwithstanding section
15 270.7, the department of administrative services shall pay
16 the state school for the deaf and the Iowa braille and sight
17 saving school the moneys collected from the counties during the
18 fiscal year beginning July 1, 2019, for expenses relating to
19 prescription drug costs for students attending the state school
20 for the deaf and the Iowa braille and sight saving school.

21 Sec. 12. Section 84A.1B, subsection 13A, as enacted by
 22 2018 Iowa Acts, chapter 1067, section 7, is amended to read as
 23 follows:

24 13A. Create, and update as necessary, a list of high-demand
 25 jobs statewide for purposes of the future ready Iowa registered
 26 apprenticeship development program created in section 15C.1,
 27 the summer youth intern pilot program established under section
 28 84A.12, the Iowa employer innovation program established
 29 under section 84A.13, the future ready Iowa skilled workforce
 30 last-dollar scholarship program established under section
 31 261.131, the future ready Iowa skilled workforce grant program
 32 established under section 261.132, and postsecondary summer
 33 classes for high school students as provided under section
 34 261E.8, subsection 7A. In addition to the list created by
 35 the workforce development board under this subsection, each

Page 21

1 community college, in consultation with regional career
 2 and technical education planning partnerships, and with the
 3 approval of the board of directors of the community college,
 4 may identify and maintain a list of not more than five regional
 5 high-demand jobs in the community college region, and shall
 6 share the lists with the workforce development board. The
 7 lists submitted by community colleges under the subsection
 8 may be used in that community college region for purposes of
 9 programs identified under this subsection. The workforce
 10 development board shall have full discretion to select and
 11 prioritize statewide high-demand jobs after consulting with
 12 business and education stakeholders, as appropriate, and
 13 seeking public comment. The workforce development board may
 14 add to the list of high-demand jobs as it deems necessary. For
 15 purposes of this subsection, “high-demand job” means a job in
 16 the state ~~for which~~ that the board, or a community college in
 17 accordance with this subsection, ~~determines work opportunities~~
 18 ~~are available and qualified applicants are lacking~~ has
 19 identified in accordance with this subsection. In creating a
 20 list under this subsection, the workforce development board
 21 shall use, at a minimum, the following criteria:

- 22 a. An entry-level wage of not less than fourteen dollars.
 23 b. Educational attainment of a qualifying credential up to a
 24 bachelor’s degree.
 25 c. One or both of the following criteria:
 26 (1) Projected annual job openings of at least two hundred
 27 fifty or more during the next five years.
 28 (2) Annual job growth of at least one percent.

29 Sec. 13. Section 261.25, subsections 1 and 2, Code 2019, are
 30 amended to read as follows:

31 1. There is appropriated from the general fund of the state
 32 to the commission for each fiscal year the sum of ~~forty six~~
 33 ~~forty-seven~~ million ~~six seven~~ hundred ~~thirty three~~ thousand
 34 ~~nine four~~ hundred ~~fifty one~~ sixty-three dollars for tuition

35 grants to qualified students who are enrolled in accredited

Page 22

1 private institutions.

2 2. There is appropriated from the general fund of the state
3 to the commission for each fiscal year the sum of ~~three four~~
4 hundred ~~seventy-six twenty-six~~ thousand two hundred twenty
5 dollars for tuition grants for qualified students who are
6 enrolled in eligible institutions. Of the moneys appropriated
7 under this subsection, not more than eighty thousand dollars
8 annually shall be used for tuition grants to qualified students
9 who are attending an eligible institution under section 261.9,
10 subsection 3, paragraph "b".

11 Sec. 14. Section 261.86, subsection 1, unnumbered paragraph
12 1, Code 2019, is amended to read as follows:

13 A national guard educational ~~assistance program service~~
14 scholarship is established to be administered by the college
15 student aid commission for members of the Iowa national guard
16 who are enrolled as undergraduate students in a community
17 college, an institution of higher learning under the state
18 board of regents, or an accredited private institution. The
19 college student aid commission shall adopt rules pursuant
20 to chapter 17A to administer this section. An individual
21 is eligible for the national guard ~~educational assistance~~
22 service scholarship program if the individual meets all of the
23 following conditions:

24 Sec. 15. Section 261.86, subsection 1, paragraph a, Code
25 2019, is amended to read as follows:

26 a. Is a resident of the state and a member of an Iowa
27 army or air national guard unit while receiving ~~educational~~
28 ~~assistance scholarship award payments issued~~ pursuant to this
29 section.

30 Sec. 16. Section 261.86, subsections 2, 3, 4, and 5, Code
31 2019, are amended to read as follows:

32 2. ~~Educational assistance~~ Scholarship awards paid pursuant
33 to this section shall not exceed the resident tuition rate
34 established for institutions of higher learning under
35 the control of the state board of regents. If the amount

Page 23

1 appropriated in a fiscal year for purposes of this section is
2 insufficient to provide ~~educational assistance scholarships~~
3 to all national guard members who apply for the program and
4 who are determined by the adjutant general to be eligible
5 for the program, the adjutant general shall, in coordination
6 with the commission, determine the distribution of ~~educational~~
7 ~~assistance scholarships~~. However, ~~educational assistance~~
8 scholarship awards paid pursuant to this section shall not
9 be less than fifty percent of the resident tuition rate
10 established for institutions of higher learning under the

11 control of the state board of regents or fifty percent of
12 the tuition rate at the institution attended by the national
13 guard member, whichever is lower. Neither eligibility nor
14 ~~educational assistance scholarship award~~ determinations shall
15 be based upon a national guard member's unit, the location at
16 which drills are attended, or whether the eligible individual
17 is a member of the Iowa army or air national guard.

18 3. a. (1) ~~An~~ Except as provided in subparagraph (2), an
19 eligible member of the national guard, attending an institution
20 as provided in subsection 1, paragraph "d", shall not receive
21 educational assistance scholarship awards under this section
22 for more than one hundred twenty semester, or the equivalent,
23 credit hours of undergraduate study.

24 (2) An eligible member of the national guard, attending an
25 institution as provided in subsection 1, paragraph "d", who is
26 enrolled in a program of education leading to a postsecondary
27 degree that meets the eligibility requirements for the federal
28 Edith Nourse Rogers STEM scholarship established under 38
29 U.S.C. §3320, shall not receive scholarship awards issued under
30 this section for more than one hundred thirty semester, or the
31 equivalent, credit hours of undergraduate study.

32 (3) A national guard member who has met the educational
33 requirements for a baccalaureate degree is ineligible for
34 ~~educational assistance~~ a scholarship award under this section.

35 b. A member of the national guard who received educational

Page 24

1 assistance under this section prior to July 1, 2015, shall
2 be deemed to have received educational assistance for the
3 following number of credit hours for educational assistance
4 received before that date:

5 (1) For each semester that the member received educational
6 assistance while attending an institution as a full-time
7 student, twelve credit hours.

8 (2) For each semester that the member received educational
9 assistance while attending an institution as a part-time
10 student, six credit hours.

11 (3) For each trimester or quarter that the member received
12 educational assistance while attending an institution as a
13 full-time or part-time student, the number of credit hours that
14 are determined to be the semester equivalent by the college
15 student aid commission.

16 4. The eligibility of applicants and scholarship award
17 ~~amounts of educational assistance~~ to be paid shall be
18 certified by the adjutant general of Iowa to the college
19 student aid commission, and all amounts that are or become
20 due to a community college, accredited private institution,
21 or institution of higher learning under the control of the
22 state board of regents under this section shall be paid to the
23 college or institution by the college student aid commission
24 upon receipt of certification by the president or governing

25 board of the educational institution as to accuracy of charges
26 made, and as to the attendance and academic progress of the
27 individual at the educational institution. The college student
28 aid commission shall maintain an annual record of the number of
29 participants and the dollar value of the ~~educational assistance~~
30 ~~provided awards issued.~~

31 5. ~~For purposes of this section, unless otherwise required,~~
32 ~~“educational assistance” means the same as Scholarships awarded~~
33 ~~under this section may be used by the recipient for the~~
34 ~~recipient’s “cost of attendance” as defined in Tit. IV, pt. B,~~
35 ~~of the federal Higher Education Act of 1965 as amended.~~

Page 25

1 Sec. 17. Section 284.13, subsection 1, paragraphs a, b, c,
2 e, f, and g, Code 2019, are amended to read as follows:

3 a. For the fiscal year beginning July 1, ~~2018~~ 2019, and
4 ending June 30, ~~2019~~ 2020, to the department, the amount of
5 five hundred eight thousand two hundred fifty dollars for the
6 issuance of national board certification awards in accordance
7 with section 256.44. Of the amount allocated under this
8 paragraph, not less than eighty-five thousand dollars shall
9 be used to administer the ambassador to education position in
10 accordance with section 256.45.

11 b. For the fiscal year beginning July 1, ~~2018~~ 2019, and
12 ending June 30, ~~2019~~ 2020, up to seven hundred twenty-eight
13 thousand two hundred sixteen dollars to the department for
14 purposes of implementing the professional development program
15 requirements of section 284.6, assistance in developing model
16 evidence for teacher quality committees established pursuant to
17 section 284.4, subsection 1, paragraph “b”, and the evaluator
18 training program in section 284.10. A portion of the funds
19 allocated to the department for purposes of this paragraph may
20 be used by the department for administrative purposes and for
21 not more than four full-time equivalent positions.

22 c. For the fiscal year beginning July 1, ~~2018~~ 2019,
23 and ending June 30, ~~2019~~ 2020, an amount up to one million
24 seventy-seven thousand eight hundred ten dollars to the
25 department for the establishment of teacher development
26 academies in accordance with section 284.6, subsection 10. A
27 portion of the funds allocated to the department for purposes
28 of this paragraph may be used for administrative purposes.

29 e. For the fiscal year beginning July 1, ~~2018~~ 2019, and
30 ending June 30, ~~2019~~ 2020, to the department an amount up to
31 twenty-five thousand dollars for purposes of the fine arts
32 beginning teacher mentoring program established under section
33 256.34.

34 f. For the fiscal year beginning July 1, ~~2018~~ 2019, and
35 ending June 30, ~~2019~~ 2020, to the department an amount up

Page 26

1 to six hundred twenty-six thousand one hundred ninety-one
 2 dollars shall be used by the department for a delivery system,
 3 in collaboration with area education agencies, to assist in
 4 implementing the career paths and leadership roles considered
 5 pursuant to sections 284.15, 284.16, and 284.17, including but
 6 not limited to planning grants to school districts and area
 7 education agencies, technical assistance for the department,
 8 technical assistance for districts and area education agencies,
 9 training and staff development, and the contracting of external
 10 expertise and services. In using moneys allocated for purposes
 11 of this paragraph, the department shall give priority to school
 12 districts with certified enrollments of fewer than six hundred
 13 students. A portion of the moneys allocated annually to the
 14 department for purposes of this paragraph may be used by the
 15 department for administrative purposes and for not more than
 16 five full-time equivalent positions.

17 g. For the fiscal year beginning July 1, ~~2019~~ 2020, and
 18 for each subsequent fiscal year, to the department, ten
 19 million dollars for purposes of implementing the supplemental
 20 assistance for high-need schools provisions of section 284.11.
 21 Annually, of the moneys allocated to the department for
 22 purposes of this paragraph, up to one hundred thousand dollars
 23 may be used by the department for administrative purposes and
 24 for not more than one full-time equivalent position.

25 Sec. 18. EFFECTIVE DATE. The following, being deemed of
 26 immediate importance, takes effect upon enactment:

27 1. The section of this Act amending 2017 Iowa Acts, chapter
 28 172, section 50, subsection 5, as amended by 2018 Iowa Acts,
 29 chapter 1163, section 4.

30 2. The section of this Act amending 2017 Iowa Acts, chapter
 31 172, section 50, subsection 12C, as enacted by 2018 Iowa Acts,
 32 chapter 1163, section 4.

33 DIVISION II

34 WORKFORCE TRAINING PROGRAMS — APPROPRIATIONS FY 2019–2020

35 Sec. 19. There is appropriated from the Iowa skilled worker

Page 27

1 and job creation fund created in section 8.75 to the following
 2 departments, agencies, and institutions for the fiscal year
 3 beginning July 1, 2019, and ending June 30, 2020, the following
 4 amounts, or so much thereof as is necessary, to be used for the
 5 purposes designated:

6 1. DEPARTMENT OF EDUCATION

7 a. For deposit in the workforce training and economic
 8 development funds created pursuant to section 260C.18A:

| | | |
|---|----|------------|
| 9 | \$ | 15,100,000 |
| 10 From the moneys appropriated in this lettered paragraph | | |
| 11 “a”, not more than \$100,000 shall be used by the department | | |
| 12 for administration of the workforce training and economic | | |

13 development funds created pursuant to section 260C.18A.
14 b. For distribution to community colleges for the purposes
15 of implementing adult education and literacy programs pursuant
16 to section 260C.50:
17 \$ 5,500,000
18 (1) From the moneys appropriated in this lettered paragraph
19 “b”, \$3,883,000 shall be allocated pursuant to the formula
20 established in section 260C.18C.
21 (2) From the moneys appropriated in this lettered paragraph
22 “b”, not more than \$150,000 shall be used by the department
23 for implementation of adult education and literacy programs
24 pursuant to section 260C.50.
25 (3) From the moneys appropriated in this lettered paragraph
26 “b”, not more than \$1,257,000 shall be distributed as grants
27 to community colleges for the purpose of adult basic education
28 programs for students requiring instruction in English
29 as a second language. The department shall establish an
30 application process and criteria to award grants pursuant to
31 this subparagraph to community colleges. The criteria shall be
32 based on need for instruction in English as a second language
33 in the region served by each community college as determined by
34 factors including data from the latest federal decennial census
35 and outreach efforts to determine regional needs.

Page 28

1 (4) From the moneys appropriated in this lettered paragraph
2 “b”, \$210,000 shall be transferred to the department of human
3 services for purposes of administering a pilot project to
4 provide access to international resources to Iowans and new
5 Iowans to provide economic and leadership development resulting
6 in Iowa being a more inclusive and welcoming place to live,
7 work, and raise a family. The pilot project shall provide
8 supplemental support services for international refugees to
9 improve learning, English literacy, life skills, cultural
10 competencies, and integration in a county with a population
11 over 350,000 as determined by the 2010 federal decennial
12 census. The department of human services shall utilize a
13 request for proposals process to identify the entity best
14 qualified to implement the pilot project.
15 c. For capital projects at community colleges that meet the
16 definition of the term “vertical infrastructure” in section
17 8.57, subsection 5, paragraph “c”:
18 \$ 6,000,000
19 Moneys appropriated in this lettered paragraph shall be
20 disbursed pursuant to section 260G.6, subsection 3. Projects
21 that qualify for moneys appropriated in this lettered paragraph
22 shall include at least one of the following:
23 (1) Accelerated career education program capital projects.
24 (2) Major renovations and major repair needs, including
25 health, life, and fire safety needs, including compliance with
26 the federal Americans With Disabilities Act.

27 d. For deposit in the pathways for academic career and
 28 employment fund established pursuant to section 260H.2:
 29 \$ 5,000,000
 30 From the moneys appropriated in this lettered paragraph “d”,
 31 not more than \$200,000 shall be allocated by the department
 32 for implementation of regional industry sector partnerships
 33 pursuant to section 260H.7B and for not more than one full-time
 34 equivalent position.
 35 e. For deposit in the gap tuition assistance fund

Page 29

1 established pursuant to section 260I.2:
 2 \$ 2,000,000
 3 f. For deposit in the statewide work-based learning
 4 intermediary network fund created pursuant to section 256.40:
 5 \$ 1,500,000
 6 From the moneys appropriated in this lettered paragraph
 7 “f”, not more than \$50,000 shall be used by the department for
 8 expenses associated with the activities of the secondary career
 9 and technical programming task force convened pursuant to this
 10 Act.
 11 g. For support costs associated with administering a
 12 workforce preparation outcome reporting system for the purpose
 13 of collecting and reporting data relating to the educational
 14 and employment outcomes of workforce preparation programs
 15 receiving moneys pursuant to this subsection:
 16 \$ 200,000
 17 2. COLLEGE STUDENT AID COMMISSION
 18 For purposes of providing skilled workforce shortage tuition
 19 grants in accordance with section 261.130:
 20 \$ 5,000,000
 21 3. Notwithstanding section 8.33, moneys appropriated
 22 in this section of this Act that remain unencumbered or
 23 unobligated at the close of the fiscal year shall not revert
 24 but shall remain available for expenditure for the purposes
 25 designated until the close of the succeeding fiscal year.
 26 Sec. 20. IOWA INDUSTRIAL NEW JOBS TRAINING ACT — FY
 27 2018–2019 DEFINITIONS. Notwithstanding section 260E.2, for
 28 the fiscal year beginning July 1, 2018, and ending June 30,
 29 2019, “new job” includes a new, existing, or recalled job
 30 in an industry which, for purposes of this section, means
 31 a business existing on the effective date of this section
 32 and located in a county with a population between 40,500 and
 33 41,000, as determined by the 2010 federal decennial census,
 34 that was declared a disaster area by the governor following a
 35 weather-related natural disaster which impacted the county on

Page 30

1 or about July 19, 2018.
 2 Sec. 21. Section 260I.2, subsection 2, paragraph c, Code

3 2019, is amended to read as follows:

4 c. ~~Moneys~~ Except as provided in section 260I.10, subsection
5 4, moneys in the fund shall be allocated pursuant to the
6 formula established in section 260C.18C. Notwithstanding
7 section 8.33, moneys in the fund at the close of the fiscal
8 year shall not revert to the general fund of the state but
9 shall remain available for expenditure for the purpose
10 designated for subsequent fiscal years. Notwithstanding
11 section 12C.7, subsection 2, interest or earnings on moneys in
12 the fund shall be credited to the fund.

13 Sec. 22. Section 260I.3, subsection 1, Code 2019, is amended
14 to read as follows:

15 1. The ~~department state board~~ of education, in consultation
16 with the economic development authority, shall adopt rules
17 pursuant to ~~this~~ chapter 17A defining eligibility criteria
18 for persons applying to receive tuition assistance under this
19 chapter.

20 Sec. 23. Section 260I.3, subsection 2, paragraph a, Code
21 2019, is amended to read as follows:

22 a. The applicant's family income for the ~~six~~ three months
23 prior to the date of application or documentation of a
24 life-changing event.

25 Sec. 24. Section 260I.3, Code 2019, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 6. The community college receiving the
28 application may limit an applicant to one eligible certificate
29 program or to eligible programs within one career pathway,
30 based on the funding available to the community college for
31 purposes of this program.

32 Sec. 25. Section 260I.4, subsection 4, Code 2019, is amended
33 by striking the subsection.

34 Sec. 26. Section 260I.7, Code 2019, is amended to read as
35 follows:

Page 31

1 **260I.7 Initial assessment.**

2 An applicant for tuition assistance under this chapter shall
3 complete an initial assessment administered by the community
4 college receiving the application to determine the applicant's
5 readiness to complete an eligible certificate program. The
6 assessment shall include ~~assessments for completion of a~~
7 ~~national career readiness certificate, including~~ the areas of
8 ~~reading for information, applied and mathematics, and locating~~
9 ~~information.~~ An applicant shall complete any additional
10 assessments and occupational research required by an eligible
11 certificate program.

12 Sec. 27. Section 260I.10, Code 2019, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 4. The department of education, in
15 coordination with the community colleges, may adjust the
16 allocations generated pursuant to section 260I, subsection 2,

17 paragraph “c”, to ensure efficient delivery of services.

18 Sec. 28. Section 260I.11, Code 2019, is amended to read as
19 follows:

20 **260I.11 Rules.**

21 ~~The department of state board of~~ education, in consultation
22 ~~with the economic development authority and~~ the community
23 colleges, shall adopt rules pursuant to chapter 17A and this
24 chapter to implement the provisions of this chapter.

25 Sec. 29. EFFECTIVE DATE. The following, being deemed of
26 immediate importance, takes effect upon enactment:

27 The section of this division of this Act relating to FY
28 2018–2019 definitions under the Iowa industrial new jobs
29 training Act.>

COMMITTEE ON APPROPRIATIONS
MICHAEL BREITBACH, Chair

S-3186

HOUSE AMENDMENT TO
SENATE FILE 275

1 Amend Senate File 275, as passed by the Senate, as follows:

2 1. Page 1, line 8, by striking <a class “D” felony> and
3 inserting <an aggravated misdemeanor>

4 2. Page 1, by striking lines 15 through 34.

5 3. Title page, line 1, by striking <offenses> and inserting
6 <offense>

7 4. Title page, line 2, by striking <and cyberharassment,>

S-3187

HOUSE AMENDMENT TO
SENATE FILE 394

1 Amend Senate File 394, as passed by the Senate, as follows:

2 1. Page 1, line 13, by striking <through a good faith
3 effort>

S-3188

HOUSE AMENDMENT TO
SENATE FILE 548

1 Amend Senate File 548, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, by striking lines 13 through 27 and inserting:

4 <a. (1) In the context of water pollution control
5 facilities, the acquisition, construction, reconstruction,
6 extension, equipping, improvement, or rehabilitation of any
7 works and facilities useful for the collection, treatment, and
8 disposal of sewage and industrial waste in a sanitary manner

9 including treatment works as defined in section 212 of the
 10 Clean Water Act, or the implementation and development of
 11 management programs established under sections 319 and 320 of
 12 the Clean Water Act, including construction and undertaking of
 13 nonpoint source water pollution control projects and related
 14 development activities authorized under those sections.

15 (2) On and after July 1, 2019, nonpoint source water
 16 pollution control projects for purposes of subparagraph (1).
 17 shall not include the acquisition of real property by a private
 18 entity for future donation or sale to a political subdivision,
 19 the department, or the federal government except as included in
 20 subparagraph (3).

21 (3) Subparagraph (2) does not apply to the acquisition of
 22 land by a private entity intended for such future donation when
 23 the private entity acquires any of the following:

24 (a) Only that portion of land on which an edge-of-field
 25 practice consistent with the Iowa nutrient reduction strategy
 26 is installed to provide water quality benefits beyond the
 27 geographic footprint of the practice.

28 (b) Any necessary setbacks to a portion of land included in
 29 subparagraph division (a) as authorized by the department.>

30 2. Page 1, line 30, after <2.> by inserting <a.>

31 3. Page 2, line 18, by striking <2019.> and inserting
 32 <2019, or to finance, subsidize, or acquire an edge-of-field
 33 practice or setback included in section 455B.291, subsection 9,
 34 paragraph "a", subparagraph (3).>

35 4. Page 2, after line 30 by inserting:

Page 2

1 <b. For purposes of this subsection, "edge-of-field
 2 practice" means a bioreactor, saturated buffer, wetland, or
 3 buffer.>

S-3189

HOUSE AMENDMENT TO SENATE FILE 570

1 Amend Senate File 570, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 1, line 1, by striking <registered> and inserting
 4 <licensed>

5 2. Page 1, line 3, by striking <registered> and inserting
 6 <licensed>

7 3. Page 1, line 10, by striking <registered> and inserting
 8 <licensed>

9 4. Page 1, line 18, by striking <registered> and inserting
 10 <licensed>

11 5. Page 1, after line 21 by inserting:

12 <Sec. ____ EFFECTIVE DATE. This Act, being deemed of
 13 immediate importance, takes effect upon enactment.>

- 14 6. Title page, line 2, by striking <registered> and
 15 inserting <licensed>
 16 7. Title page, line 3, after <circumstances> by inserting
 17 <and including effective date provisions>
 18 8. By renumbering as necessary.

S-3190

HOUSE AMENDMENT TO
 SENATE FILE 572

- 1 Amend Senate File 572, as passed by the Senate, as follows:
 2 1. Page 1, by striking line 2 and inserting:
 3 <CONTROLLED SUBSTANCES — IOWA PRESCRIPTION MONITORING PROGRAM
 4 INFORMATION
 5 Section 1. Section 124.201A, subsection 1, Code 2019, is
 6 amended to read as follows:
 7 1. If a cannabidiol ~~or nabiximols~~ investigational product
 8 approved as a prescription drug medication by the United States
 9 food and drug administration is eliminated from or revised in
 10 the federal schedule of controlled substances by the federal
 11 drug enforcement agency and notice of the elimination or
 12 revision is given to the board, the board shall similarly
 13 eliminate or revise the prescription drug medication in the
 14 schedule of controlled substances under this chapter. Such
 15 action by the board shall be immediately effective upon the
 16 date of publication of the final regulation containing the
 17 elimination or revision in the federal register.>
 18 2. Page 1, by striking lines 5 through 16 and inserting:
 19 <g. Including all ~~schedule~~ schedules II, III, and IV
 20 ~~controlled substances, those substances in schedules III and IV~~
 21 ~~that the advisory council and board determine can be addictive~~
 22 ~~or fatal if not taken under the proper care and direction of a~~
 23 ~~prescribing practitioner, and opioid antagonists.>~~
 24 3. Page 5, after line 1 by inserting:
 25 <DIVISION ____
 26 PHARMACEUTICAL COLLECTION AND DISPOSAL PROGRAM
 27 Sec. _____. Section 155A.43, Code 2019, is amended to read as
 28 follows:
 29 **155A.43 Pharmaceutical collection and disposal program —**
 30 **annual allocation.**
 31 **1.** Of the fees collected by the board pursuant to sections
 32 124.301 and 147.80 and this chapter, and retained by the board
 33 pursuant to section 147.82, the board may annually allocate a
 34 sum deemed by the board to be adequate for administering the
 35 pharmaceutical collection and disposal program. The program

- 1 shall provide for the management and disposal of unused,
 2 excess, and expired pharmaceuticals, including the management
 3 and disposal of controlled substances pursuant to state and

4 federal regulations. The board may contract with one or more
 5 vendors for the provision of supplies and services to manage
 6 and maintain the program and to safely and appropriately
 7 dispose of pharmaceuticals collected through the program.

8 2. Participation in a pharmaceutical collection and
 9 disposal program shall be voluntary. No tax, fee, assessment,
 10 or other charge shall be imposed for administering or
 11 participating in a pharmaceutical collection and disposal
 12 program.

13 DIVISION ____
 14 PHARMACY PRACTICE

15 Sec. ____ Section 155A.46, subsection 1, paragraph d, Code
 16 2019, is amended to read as follows:

17 d. Prior to the ordering and administration of a
 18 ~~vaccination or an~~ immunization ~~or vaccination~~ authorized by
 19 this subsection, pursuant to statewide protocols, a licensed
 20 pharmacist shall consult and review the statewide immunization
 21 registry or health information network, except for influenza
 22 immunizations or vaccinations and other emergency immunizations
 23 or vaccinations administered to persons eighteen years of age
 24 or older in response to a public health emergency. The board
 25 shall adopt rules requiring the reporting of the administration
 26 of ~~vaccines and~~ immunizations ~~and vaccinations~~ authorized by
 27 this subsection to a patient's primary health care provider,
 28 primary physician, and a statewide immunization registry or
 29 health information network.

30 Sec. ____ 2018 Iowa Acts, chapter 1142, section 8, is
 31 amended to read as follows:

32 SEC. 8. FUTURE REPEAL. Section 155A.44, Code 2018, is
 33 repealed effective July 1, ~~2019~~ 2020.>

34 4. Title page, line 1, after <substances> by inserting <and
 35 pharmacy practice>

S-3191

1 Amend House File 756, as passed by the House, as follows:

2 1. Page 3, by striking lines 6 through 16 and inserting
 3 <basis. Recipients of the funding shall submit quarterly
 4 reports to the department of human services containing
 5 data consistent with the performance measures approved
 6 by the federal substance abuse and mental health services
 7 administration. The department shall compile the first
 8 quarterly reports received from recipients into a single report
 9 to be submitted to the governor and the general assembly by
 10 February 20, 2020.>

MARK LOFGREN

S-3192

1 Amend Senate File 186 as follows:

2 1. By striking everything after the enacting clause and

3 inserting:

4 <Section 1. Section 321.1, subsection 69, paragraph d, Code
5 2019, is amended to read as follows:

6 d. Designed to carry not more than ~~nine~~ ten persons
7 as passengers, including the driver, either school owned
8 or privately owned, which are used to transport pupils to
9 activity events in which the pupils are participants or used
10 to transport pupils to their homes in case of illness or
11 other emergency situations. The vehicles operated under the
12 provisions of this paragraph shall be operated by employees of
13 the school district who are specifically approved by the local
14 superintendent of schools for the assignment.

15 Sec. 2. Section 321.373, subsection 3, Code 2019, is amended
16 to read as follows:

17 3. The rules prescribed for school buses shall include
18 special rules for passenger automobiles, and other vehicles
19 designed to carry ~~eight~~ ten or fewer ~~pupils~~ persons, including
20 the driver, when used as school buses.>

21 2. Title page, by striking lines 1 through 4 and inserting
22 <An Act relating to passenger automobiles designed to carry ten
23 or fewer persons when used as school buses.>

MICHAEL BREITBACH

S-3193

1 Amend House File 499, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 321.1, subsection 69, paragraph d, Code
5 2019, is amended to read as follows:

6 d. Designed New or used motor vehicles designed to carry
7 not more than nine persons as passengers, including the driver,
8 or used passenger vans designed to carry not more than twelve
9 persons as passengers, including the driver, either school
10 owned or privately owned, which are used to transport pupils
11 to activity events in which the pupils are participants or
12 used to transport pupils to their homes in case of illness or
13 other emergency situations. The vehicles operated under the
14 provisions of this paragraph shall be operated by employees of
15 the school district who are specifically approved by the local
16 superintendent of schools for the assignment.

17 Sec. 2. Section 321.373, subsection 3, Code 2019, is amended
18 to read as follows:

19 3. a. The rules prescribed for school buses shall include
20 special rules for passenger automobiles, and other vehicles
21 designed to carry eight or fewer pupils, when used as school
22 buses.

23 b. The rules shall allow pickups designed to carry nine
24 passengers or less, including the driver, and weighing ten
25 thousand pounds or less, to be used as school buses if the
26 pickup does not carry more passengers than there are safety

27 belts or safety harnesses in the pickup as installed by the
 28 manufacturer and if the pickup is not operated while any
 29 passenger is present in the bed of the pickup. The operator
 30 of the pickup shall comply with the qualification, licensing,
 31 and instruction requirements set forth in sections 321.375 and
 32 321.376, other than the requirement to obtain a commercial
 33 driver's license. However, the rules shall allow the board of
 34 directors of a school district to prohibit the use of pickups
 35 as school buses by the school district.

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1 c. The rules shall allow used passenger vans designed to
 2 carry twelve or fewer passengers, including the driver, and
 3 weighing ten thousand pounds or less, to be used as school
 4 buses if the van does not carry more passengers than there are
 5 safety belts or safety harnesses in the van as installed by
 6 the manufacturer. The operator of the van shall comply with
 7 the qualification, licensing, and instruction requirements set
 8 forth in sections 321.375 and 321.376.
 9 d. A pickup or passenger van operated pursuant to rules
 10 described in paragraph "b" or "c" is subject to the limitations
 11 set forth in section 321.1, subsection 69, paragraph "d".>
 12 2. Title page, by striking lines 1 and 2 and inserting <An
 13 Act allowing certain vans and pickups to be used to transport
 14 pupils to activity events or from school to home in emergency
 15 situations.>

MICHAEL BREITBACH

S-3194

1 Amend Senate File 619 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:
 4 <Section 1. Section 523C.1, Code 2019, is amended to read
 5 as follows:
 6 **523C.1 Definitions.**
 7 As used in this chapter, unless the context otherwise
 8 requires:
 9 1. "Commissioner" means the commissioner of insurance.
 10 2. "~~Custodial account~~" means an account established by
 11 ~~agreement between a licensed service company and a custodian~~
 12 ~~under section 523C.5.~~
 13 3. "~~Custodial agreement~~" means an agreement entered into
 14 ~~between a licensed service company and a custodian under~~
 15 ~~section 523C.5.~~
 16 4. "~~Custodian~~" means an institution meeting the requirements
 17 ~~established by the commissioner which institution has entered~~
 18 ~~into a custodial agreement or reserve account agreement with a~~
 19 ~~licensed service company.~~
 20 5. "~~Depository~~" means an institution designated by the

21 ~~commissioner as an authorized custodian for purposes of~~
22 ~~sections 523C-5 and 523C-11.~~
23 6. 2. "Licensed service company" means a service company
24 which is licensed by the commissioner pursuant to this chapter.
25 3. "Maintenance agreement" means a contract of any duration
26 that provides for scheduled maintenance to property.
27 4. "Motor vehicle" means any self-propelled vehicle subject
28 to registration under chapter 321.
29 5. "Motor vehicle manufacturer" means any of the following:
30 a. A person who manufactures or produces motor vehicles
31 and sells the motor vehicles under the person's trade name or
32 label.
33 b. A person who is a wholly owned subsidiary of any person
34 who manufactures or produces motor vehicles.
35 c. A person who holds a one hundred percent ownership

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1 interest in another person who manufactures or produces motor
2 vehicles.
3 d. A person who does not manufacture or produce motor
4 vehicles, but for which motor vehicles are sold under the
5 person's trade name or label.
6 e. A person who manufactures or produces motor vehicles,
7 but the motor vehicles are sold under the trade name or label
8 of another person.
9 f. A person who does not manufacture or produce motor
10 vehicles, but who licenses the use of the person's trade name
11 or label to another person pursuant to a written contract, who
12 then sells motor vehicles under the trade name or label of the
13 licensor.
14 6. "Motor vehicle service contract" means a contract or
15 agreement sold for separate consideration for a specific
16 duration that undertakes to perform the repair, replacement,
17 or maintenance of a motor vehicle, or indemnification for
18 such repair, replacement, or maintenance, for the operation
19 or structural failure of a motor vehicle due to a defect in
20 materials, workmanship, or normal wear and tear, with or
21 without additional provisions for the incidental payment
22 of indemnity under limited circumstances, including but
23 not limited to motor vehicle towing, rental, emergency road
24 service, and road hazard protection. "Motor vehicle service
25 contract" also includes a contract or agreement sold for
26 separate consideration for a specific duration that provides
27 for any of the following services or products:
28 a. The repair or replacement of motor vehicle tires or
29 wheels that are damaged as a result of contact with road
30 hazards, including but not limited to potholes, rocks, wood
31 debris, metal parts, glass, plastic, curbs, or composite
32 scraps.
33 b. The removal of dents or creases on a motor vehicle
34 under a process that does not use paint or affect the existing

35 paint finish, and without sanding, bonding, or replacing motor

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1 vehicle body panels.

2 c. The repair or replacement of motor vehicle windshields
3 that are damaged as a result of contact with road hazards.

4 d. The replacement of motor vehicle keys or key fobs in the
5 event that such device becomes inoperable, lost, or stolen.

6 e. Any other service or product approved by the
7 commissioner.

8 7. "Premium" means the consideration paid to an insurer for
9 a reimbursement insurance policy.

10 7. 8. "Record" means the same as defined in section 516E.1
11 information stored or preserved in any medium, including in
12 an electronic or paper format. A "record" includes but is
13 not limited to documents, books, publications, accounts,
14 correspondence, memoranda, agreements, computer files, film,
15 microfilm, photographs, and audio or visual tapes.

16 9. "Reimbursement insurance policy" means a contractual
17 liability insurance policy issued to a service company that
18 either provides reimbursement to a service company under the
19 terms of insured service contracts issued or sold by the
20 service company or, in the event of nonperformance by the
21 service company, pays, on behalf of the service company, all
22 covered contractual obligations incurred by the service company
23 under the terms of the insured service contracts issued or sold
24 by the service company.

25 8. "Reserve account agreement" means an agreement entered
26 into between a licensed service company and a depository under
27 section 523C.11.

28 9. 10. "Residential service contract" means a contract or
29 agreement between a residential customer and a service company
30 which undertakes, for a predetermined fee and for a specified
31 any period of time, to service, maintain, repair, or replace,
32 or indemnify expenses for all or any part of the operational or
33 structural components, appliances, or electrical, mechanical,
34 plumbing, heating, cooling, or air-conditioning systems of
35 residential property containing not more than four dwelling

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1 units in the state which fails due to normal wear or tear or
2 inherent defect. "Residential service contract" also includes
3 a contract which provides for the service, repair, replacement,
4 or maintenance of property for damage resulting from power
5 surges, roof leakage, and accidental damage.

6 10. 11. "Service company" means a person who issues and
7 performs, or arranges to perform, is contractually obligated to
8 perform services pursuant to a motor vehicle service contract
9 or residential service contract.

10 12. "Service contract" means a motor vehicle service

contract or residential service contract.

13. “*Warranty*” means a statement made solely by the manufacturer, importer, or seller of property or services without consideration, that is not negotiated or separated from the sale of the product and is incidental to the sale of the product, and that guarantees indemnity for defective parts, mechanical or electrical breakdown, and labor or other remedial measures, such as repair or replacement of the property or repetition of services.

Sec. 2. Section 523C.2, Code 2019, is amended to read as follows:

523C.2 License required.

1. A person shall not issue ~~a~~, offer for sale, or sell a motor vehicle service contract or residential service contract or undertake or arrange to perform services pursuant to a residential service contract in this state unless the person is a corporation or other form of organization approved by the commissioner by rule and is a licensed ~~as~~ a service company under this chapter.

2. The licensure requirements of this chapter shall not apply to any person who provides support services or works under the direction of a licensed service company in connection with the issuance, offer for sale, or sale of a service contract in this state, including but not limited to a person who provides marketing, administrative, or technical support.

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Sec. 3. Section 523C.3, Code 2019, is amended to read as follows:

523C.3 Application for license.

1. Application for a license as a service company shall be made to and filed with the commissioner on forms approved by the commissioner and shall include all of the following information:

- a. The name and principal address of the applicant.
- b. The state of incorporation of the applicant.
- c. The name and address of the applicant’s registered agent for service of process within Iowa.
- d. A certificate of good standing for the applicant issued by the secretary of state and dated not more than thirty days prior to the date of the application.

e. Evidence of compliance with section 523C.5.

f. A copy of each motor vehicle service contract form to be used or issued in this state, if applicable.

g. A copy of each residential service contract form to be used or issued in this state, if applicable.

2. The application shall be accompanied by all of the following:

- a. ~~A certificate of good standing for the applicant issued by the secretary of state and dated not more than thirty days prior to the date of the application.~~

25 ~~b. A surety bond, a copy of the receipt from the treasurer~~
26 ~~of state that a cash deposit has been made, or a copy of a~~
27 ~~custodial agreement as provided in section 523C.5.~~
28 ~~c. A copy of the most recent financial statement, including~~
29 ~~balance sheets and related statements of income, of the~~
30 ~~applicant, prepared in accordance with generally accepted~~
31 ~~accounting principles, audited by a certified public accountant~~
32 ~~and dated not more than twelve months prior to the date of the~~
33 ~~application.~~
34 ~~d. An affidavit of an authorized officer of the service~~
35 ~~company stating the number of contracts issued by the service~~

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1 ~~company in the preceding calendar year, and stating that the~~
2 ~~net worth of the service company satisfies the requirements of~~
3 ~~section 523C.6.~~
4 ~~e. a. A license fee in the amount of two five hundred fifty~~
5 ~~dollars.~~
6 ~~b. If applicable, a fee in the amount of fifty dollars~~
7 ~~for each motor vehicle service contract form submitted in an~~
8 ~~application as provided in subsection 1, paragraph "c."~~
9 ~~3. If the application contains the required information and~~
10 ~~is accompanied by the items set forth in subsection 2, and if~~
11 ~~the net worth requirements of section 523C.6 are satisfied, as~~
12 ~~evidenced by the audited financial statements, the commissioner~~
13 ~~shall issue the license. If the form of application is not~~
14 ~~properly completed or if the required accompanying documents~~
15 ~~are not furnished or in proper form, the commissioner shall~~
16 ~~not issue the license and shall give the applicant written~~
17 ~~notice of the grounds for not issuing the license. A notice~~
18 ~~of license denial shall be accompanied by a refund of fifty~~
19 ~~percent of the fee submitted with the application.~~
20 ~~4. Fees collected under this section shall be deposited as~~
21 ~~provided in section 505.7 523C.24.~~
22 ~~Sec. 4. Section 523C.4, Code 2019, is amended to read as~~
23 ~~follows:~~
24 ~~**523C.4 License expiration and renewal.**~~
25 ~~1. Each license issued under this chapter shall expire~~
26 ~~on June 30 next be valid for a period of one year and shall~~
27 ~~be renewed by August 31 of each year following the date of~~
28 ~~issuance. If the service company maintains in force the surety~~
29 ~~bond described in section 523C.5 and if its license is not~~
30 ~~subject to or under suspension or revocation under section~~
31 ~~523C.9, its license shall be renewed by the commissioner upon~~
32 ~~receipt by the commissioner on or before the expiration date~~
33 ~~of a renewal application accompanied by the items required by~~
34 ~~section 523C.3, subsection 2, paragraphs "b," "c," "d", and "e",~~
35 ~~and section 523C.15.~~

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1 2. An application for renewal shall include the information
2 required for an initial license as described in section 523C.3,
3 subsection 1.
4 3. The renewal application shall be accompanied by all of
5 the following:
6 a. A license renewal fee in the amount of five hundred
7 dollars.
8 b. If applicable, a fee in the amount of three percent of
9 the aggregate amount of payments the licensee received for the
10 sale or issuance of residential service contracts in this state
11 during the preceding fiscal year, provided that such fee shall
12 be no less than one hundred dollars and no greater than fifty
13 thousand dollars.
14 c. If applicable, a fee in the amount of fifty dollars
15 for each motor vehicle service contract form submitted in a
16 renewal application as provided in section 523C.3, subsection
17 1, paragraph "f".
18 d. Information regarding the number of motor vehicle service
19 contracts or residential service contracts issued during the
20 preceding fiscal year, the number canceled or expired during
21 the preceding fiscal year, the number in effect at the end of
22 the preceding fiscal year, and the amount of service contract
23 fees received during the preceding fiscal year.
24 4. If the commissioner denies renewal of the license, the
25 denial shall be in writing setting forth the grounds for denial
26 and shall be accompanied by a refund of fifty percent of the
27 license renewal fee.
28 5. In addition to the annual license renewal requirements
29 as provided in this section, a licensee shall report to the
30 commissioner any material change in information submitted by
31 the licensee in its initial license application which has
32 not been reported to the commissioner, including a change in
33 contact information, a change in ownership, or any other change
34 which substantially affects the licensee's operations in this
35 state.

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1 Sec. 5. Section 523C.5, Code 2019, is amended by striking
2 the section and inserting in lieu thereof the following:
3 **523C.5 Financial responsibility — demonstration**
4 **requirements.**
5 In order to assure the faithful performance of a service
6 company's obligations to its contract holders in this state,
7 a licensed service company shall demonstrate financial
8 responsibility to the commissioner by satisfying one of the
9 following, as evidenced by the service company:
10 1. Insuring all motor vehicle service contracts and
11 residential service contracts offered for sale in this state
12 under a reimbursement insurance policy that complies with

13 section 523C.6.

14 2. Doing both of the following:

15 a. Maintaining a funded reserve account for the service
16 company's obligations under any issued and outstanding service
17 contracts in this state, in an amount no less than forty
18 percent of gross consideration received, less claims paid, for
19 the sale of all service contracts issued and in force in this
20 state. The reserve account shall be subject to examination and
21 review by the commissioner.

22 b. Placing in trust with the commissioner a financial
23 security deposit in an amount no less than five percent of
24 the gross consideration received by the service company,
25 less claims paid, for the sale of all motor vehicle service
26 contracts and residential service contracts issued and in force
27 in this state, but not less than twenty-five thousand dollars,
28 consisting of one of the following:

29 (1) Cash.

30 (2) Securities of the type eligible for deposit by insurers
31 authorized to transact business in this state.

32 (3) Certificates of deposit.

33 (4) A surety bond issued by an authorized surety company.

34 (5) Another form of security as prescribed by the
35 commissioner by rule.

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1 3. Doing both of the following:

2 a. Maintaining, on its own or together with a parent
3 company, a minimum net worth or stockholders' equity of one
4 hundred million dollars or more.

5 b. Upon request from the commissioner, providing either:

6 (1) A copy of the service company's financial statements.

7 (2) If the service company's financial statements are
8 consolidated with those of its parent company, a copy of the
9 parent company's most recent form 10-K or form 20-F filed with
10 the federal securities and exchange commission within the last
11 calendar year, or if the parent company does not file with
12 the federal securities and exchange commission, a copy of the
13 parent company's audited financial statements showing a net
14 worth of at least one hundred million dollars. If the service
15 company's financial statements are consolidated with those of
16 its parent company, the service company shall also provide a
17 copy of a written agreement by the parent company guaranteeing
18 the obligations of the service company under motor vehicle
19 service contracts and residential service contracts issued and
20 outstanding by the service company in this state.

21 Sec. 6. Section 523C.6, Code 2019, is amended by striking
22 the section and inserting in lieu thereof the following:

23 **523C.6 Reimbursement insurance policy requirements — insurer**
24 **qualifications.**

25 1. *Requirements.* A reimbursement insurance policy insuring
26 a motor vehicle service contract or residential service

27 contract issued, sold, or offered for sale in this state shall
28 provide for all of the following:
29 a. The reimbursement insurance policy shall obligate the
30 insurer that issued such policy to reimburse or pay on behalf
31 of the service company any covered sums that the service
32 company is legally obligated to pay according to the terms of
33 the contract or, in the event of nonperformance by the service
34 company, provide the service which the service company is
35 legally obligated to perform according to the terms of the

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1 service contract, which shall be conspicuously stated in the
2 reimbursement insurance policy.
3 b. The reimbursement insurance policy shall entitle a
4 service contract holder to make a claim directly against the
5 insurance policy if the service company fails to pay or provide
6 service on a claim within sixty days after proof of loss is
7 filed with the service company.
8 c. The insurer that issued a reimbursement insurance policy
9 shall be deemed to have received the premiums upon the payment
10 of the total purchase price of the service contract by the
11 service contract holder.
12 2. *Termination.* As applicable, an insurer that issued a
13 reimbursement insurance policy shall not terminate the policy
14 unless a written notice has been received by the commissioner
15 and by each applicable service company. The notice shall
16 fix the date of termination at a date no earlier than ten
17 days after receipt of the notice by the commissioner. The
18 termination of a reimbursement insurance policy shall not
19 reduce the issuer's responsibility for a service contract
20 issued by an insured service company prior to the date of
21 termination.
22 3. *Indemnification or subrogation.* This section does
23 not prevent or limit the right of an insurer that issued a
24 reimbursement insurance policy to seek indemnification from or
25 subrogation against a service company if the insurer pays or
26 is obligated to pay a service contract holder sums that the
27 service company was obligated to pay pursuant to the provisions
28 of a service contract or pursuant to a contractual agreement.
29 4. *Premium tax liability.* Payments for the purchase price
30 of a service contract by a service contract holder shall be
31 exempt from premium tax. However, premiums shall be subject
32 to premium tax.
33 5. *Qualifications of insurer.* An insurer issuing a
34 reimbursement insurance policy under this chapter shall be
35 authorized, registered, or otherwise permitted to transact

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1 business in this state and shall meet one of the following
2 requirements:

3 a. At the time the policy is filed with the commissioner,
4 and continuously thereafter, the insurer maintains surplus
5 as to policyholders and paid-in capital of at least fifteen
6 million dollars and annually files copies of the insurer's
7 financial statements, national association of insurance
8 commissioners annual statement, and actuarial certification, if
9 required and filed in the insurer's state of domicile.

10 b. At the time the policy is filed with the commissioner and
11 continuously thereafter, the insurer does all of the following:

12 (1) Maintains surplus as to policyholders and paid-in
13 capital of less than fifteen million dollars but at least ten
14 million dollars.

15 (2) Demonstrates to the satisfaction of the commissioner
16 that the insurer maintains a ratio of net written premiums,
17 wherever written, to surplus as to policyholders and paid-in
18 capital of not greater than three to one.

19 (3) Files copies annually of the insurer's financial
20 statements, national association of insurance commissioners
21 annual statement, and actuarial certification, if required and
22 filed in the insurer's state of domicile.

23 Sec. 7. Section 523C.7, Code 2019, is amended by striking
24 the section and inserting in lieu thereof the following:

25 **523C.7 Disclosure to service contract holders — contract**
26 **form — required provisions.**

27 1. A motor vehicle service contract or residential service
28 contract shall not be issued, sold, or offered for sale in this
29 state unless the service company does all of the following:

30 a. Provides a receipt for the purchase of the service
31 contract to the service contract holder.

32 b. Provides a copy of the service contract to the service
33 contract holder within a reasonable period of time after the
34 date of purchase of the service contract.

35 c. Provides a complete sample copy of the terms and

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1 conditions of the service contract to the service contract
2 holder prior to the date of purchase. A service company may
3 comply with this paragraph by providing the service contract
4 holder with a complete sample copy of the terms or conditions
5 of the service contract, or directing the service contract
6 holder to an internet site containing a complete sample copy of
7 the terms and conditions of the service contract.

8 2. A motor vehicle service contract or residential service
9 contract issued, sold, or offered for sale in this state shall
10 comply with all of the following, as applicable:

11 a. A service contract shall be written in clear,
12 understandable language in at least eight point font.

13 b. (1) A service contract insured by a reimbursement
14 insurance policy as provided in section 523C.5, subsection 1,
15 shall include a statement in substantially the following form:

16 Obligations of the service company under this service

17 contract are guaranteed under a reimbursement insurance policy.
18 If the service company fails to pay or provide service on a
19 claim within sixty days after proof of loss has been filed with
20 the service company, the service contract holder is entitled
21 to make a claim directly against the reimbursement insurance
22 policy.

23 (2) A service contract insured by a reimbursement insurance
24 policy shall conspicuously state the name and address of the
25 issuer of the reimbursement insurance policy for that service
26 contract. A claim against a reimbursement insurance policy
27 shall also include a claim for return of any refund due in
28 accordance with paragraphs "k" and "l".

29 c. A service contract not insured under a reimbursement
30 insurance policy shall contain a statement in substantially the
31 following form:

32 Obligations of the service company under this service
33 contract are backed by the full faith and credit of the service
34 company and are not guaranteed under a reimbursement insurance
35 policy.

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1 d. A service contract shall state the name and address of
2 the service company obligated to perform services under the
3 contract, and shall conspicuously identify the service company,
4 any third-party administrator, and the service contract holder
5 to the extent that the name and address of the service contract
6 holder has been furnished. The identities of such parties are
7 not required to be printed on the contract in advance and may
8 be added to the contract at the time of sale.

9 e. A service contract shall clearly state the total purchase
10 price of the service contract and the terms under which the
11 service contract is sold. The total purchase price is not
12 required to be printed on the contract in advance and may be
13 added to the contract at the time of sale.

14 f. If prior approval of repair work is required, a service
15 contract shall conspicuously describe the procedure for
16 obtaining prior approval and for making a claim, including a
17 toll-free telephone number for claim service, and the procedure
18 for obtaining emergency repairs performed outside of normal
19 business hours.

20 g. A service contract shall clearly state the existence of
21 any deductible amount.

22 h. A service contract shall specify the merchandise
23 or services, or both, to be provided and any limitations,
24 exceptions, or exclusions.

25 i. A service contract shall clearly state the conditions on
26 which the use of substitute parts or services will be allowed.
27 Such conditions shall comply with applicable state and federal
28 laws.

29 j. A service contract shall clearly state any terms,
30 restrictions, or conditions governing the transferability of

31 the service contract.

32 *k.* A service contract shall clearly state the terms and
33 conditions governing the cancellation of the contract prior
34 to the termination or expiration date of the contract by the
35 service company or the service contract holder. If the service

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1 company cancels the contract, the service company shall mail a
2 written notice of termination to the service contract holder
3 at least fifteen days before the date of the termination.
4 Prior notice of cancellation by the service company is not
5 required if the reason for cancellation is nonpayment of the
6 purchase price, a material misrepresentation by the service
7 contract holder to the service company or its administrator, or
8 a substantial breach of duties by the service contract holder
9 relating to the covered product or its use. The notice of
10 cancellation shall state the effective date of the cancellation
11 and the reason for the cancellation. If a service contract
12 is canceled by the service company for any reason other than
13 nonpayment of the purchase price, the service company shall
14 refund the service contract holder in an amount equal to one
15 hundred percent of the unearned purchase price paid, calculated
16 on a pro rata basis based upon elapsed time or mileage,
17 less any claims paid. The service company may also charge a
18 reasonable administrative fee in an amount no greater than ten
19 percent of the total purchase price.

20 *l.* (1) A service contract shall permit the original
21 service contract holder that purchased the contract to cancel
22 and return the service contract within at least twenty days
23 of the date of mailing the service contract to the service
24 contract holder or within at least ten days after delivery of
25 the service contract if the service contract is delivered at
26 the time of sale of the service contract, or within a longer
27 period of time as permitted under the service contract. If no
28 claim has been made under the service contract prior to its
29 return, the service contract is void and the full purchase
30 price of the service contract shall be refunded to the service
31 contract holder. A ten percent penalty shall be added each
32 month to a refund that is not paid to a service contract holder
33 within thirty days of the return of the service contract to the
34 service company.

35 (2) If the service contract holder cancels the service

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1 contract outside of the applicable time as provided in
2 subparagraph (1) or after a claim is made under the service
3 contract, the service company shall refund the service contract
4 holder in an amount equal to one hundred percent of the
5 unearned purchase price paid, calculated on a pro rata basis
6 based upon elapsed time or mileage, less any claims paid. The

7 service company may also charge a reasonable administrative fee
8 in an amount no greater than ten percent of the total purchase
9 price.

10 *m.* A service contract shall set forth all of the obligations
11 and duties of the service contract holder, including but not
12 limited to the duty to protect against any further damage,
13 and the obligation to follow an owner's manual or any other
14 required service or maintenance.

15 *n.* A service contract shall clearly state whether or not
16 the contract provides for or excludes consequential damages
17 or preexisting conditions, if applicable. A service contract
18 may, but is not required to, cover damage resulting from rust,
19 corrosion, or damage caused by a part or system which is not
20 covered under the service contract.

21 *o.* A service contract shall clearly state the fee, if any,
22 charged on the service contract holder for making a service
23 call.

24 *p.* A service contract shall state the name and address of
25 the commissioner.

26 Sec. 8. Section 523C.9, Code 2019, is amended to read as
27 follows:

28 **523C.9 Suspension or revocation of license.**

29 ~~1. In addition to the license revocation provisions of~~
30 ~~section 523C.5, the~~ The commissioner may suspend or revoke or
31 refuse to renew the license of a service company for any of the
32 following grounds:

33 ~~a. 1.~~ The service company violated a lawful order of the
34 commissioner or any provision of this chapter.

35 ~~b. 2.~~ The service company failed to pay any final judgment

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1 rendered against it in this state within sixty days after the
2 judgment became final.

3 ~~c. 3.~~ The service company has without just cause refused
4 to perform or negligently or incompetently performed services
5 required to be performed under its ~~residential~~ service
6 contracts and the refusal, or negligent or incompetent
7 performance has occurred with such frequency, as the
8 commissioner determines, as to indicate the general business
9 practices of the service company.

10 ~~d. 4.~~ The service company violated section 523C.13.

11 ~~e. 5.~~ The service company failed to ~~maintain the net worth~~
12 ~~required by section 523C.6 demonstrate financial responsibility~~
13 ~~pursuant to section 523C.5.~~

14 ~~f. The service company failed to maintain the reserve~~
15 ~~account required by section 523C.11.~~

16 ~~g. 6.~~ The service company failed to maintain its corporate
17 certificate of good standing with the secretary of state.

18 ~~2. If the license of a service company is terminated~~
19 ~~under section 523C.5 because of failure to maintain bond, the~~
20 ~~commissioner shall give written notice of termination to the~~

21 ~~service company. The notice shall include the effective date~~
22 ~~of the termination.~~

23 Sec. 9. Section 523C.12, Code 2019, is amended to read as
24 follows:

25 **523C.12 Optional examination.**

26 The commissioner or a designee of the commissioner may
27 make an examination of the books and records of a service
28 company, including copies of contracts and records of claims
29 and expenditures, and verify its assets, liabilities, and
30 reserves. The actual costs of the examination shall be borne
31 by the service company. The costs of an examination under this
32 section shall not exceed an amount equal to ten percent of the
33 service company's reported net income in the previous fiscal
34 year.

35 Sec. 10. Section 523C.13, Code 2019, is amended to read as

Page 17

1 follows:

2 **523C.13 Prohibited acts or practices — penalty — violations**
3 **— contracts voided.**

4 1. A licensed service company which offers motor
5 vehicle service contracts for sale in this state, or its
6 representative, shall not, directly or indirectly, represent in
7 any manner, whether by written solicitation or telemarketing, a
8 false, deceptive, or misleading statement with respect to any
9 of the following:

10 a. Statements regarding the service company's affiliation
11 with a motor vehicle manufacturer or importer.

12 b. Statements regarding the validity or expiration of a
13 warranty.

14 c. Statements regarding a motor vehicle service contract
15 holder's coverage under a motor vehicle service contract,
16 including statements suggesting that the service contract
17 holder must purchase a new service contract in order to
18 maintain coverage under the existing service contract or
19 warranty.

20 2. The commissioner ~~shall~~ may adopt rules which regulate
21 motor vehicle service contracts and residential service
22 contracts to prohibit misrepresentation, false advertising,
23 defamation, boycotts, coercion, intimidation, false statements
24 and entries and unfair discrimination or practices. If the
25 commissioner finds that a person has violated the rules adopted
26 under this section, the commissioner may order any or all of
27 the following:

28 4. a. Payment of a civil penalty of not more than one
29 thousand dollars for each and every act or violation, but not
30 to exceed an aggregate of ten thousand dollars, unless the
31 person knew or reasonably should have known the person was in
32 violation of this section, in which case the penalty shall be
33 not more than five thousand dollars for each and every act or
34 violation, but not to exceed an aggregate penalty of fifty

35 thousand dollars in any one six-month period. The commissioner

Page 18

1 shall, if it finds the violations of this section were
2 directed, encouraged, condoned, ignored, or ratified by the
3 employer of such person, assess such penalty to the employer
4 and not such person. Any civil penalties collected under this
5 subsection shall be deposited as provided in section 505.7.
6 ~~2. b.~~ Suspension or revocation of the license of a person,
7 if the person knew or reasonably should have known the person
8 was in violation of this section.

9 3. A violation of this chapter constitutes an unlawful
10 practice pursuant to section 714.16.

11 4. A service contract issued or sold in this state is void
12 if the person that issued or sold the service contract, at the
13 time of issuance or sale, was not licensed as a service company
14 under this chapter.

15 Sec. 11. Section 523C.15, Code 2019, is amended to read as
16 follows:

17 **523C.15 Annual report.**

18 A licensed service company ~~that does not demonstrate~~
19 financial responsibility by insuring service contracts under a
20 reimbursement insurance policy as provided in section 523C.5,
21 subsection 1, shall file with the commissioner an annual
22 report ~~within ninety days of the close of its fiscal~~ no later
23 than August 31 of each year. The annual report shall be in
24 a form prescribed by the commissioner and contain all of the
25 following:

26 1. A current financial statement including a balance
27 sheet and statement of operations prepared in accordance with
28 generally accepted accounting principles and certified by an
29 independent certified public accountant.

30 ~~2. The number of residential service contracts issued~~
31 ~~during the preceding fiscal year, the number canceled or~~
32 ~~expired during the year, the number in effect at year end and~~
33 ~~the amount of residential service contract fees received.~~

34 ~~3. 2.~~ Any other information relating to the performance
35 and solvency of the ~~residential~~ service company required by the

Page 19

1 commissioner.

2 Sec. 12. Section 523C.16, Code 2019, is amended to read as
3 follows:

4 **523C.16 Exclusions.**

5 This chapter does not apply to any of the following and the
6 following do not constitute the practice of insurance:

7 1. A performance guarantee given by a builder of a residence
8 or the manufacturer or seller or lessor of residential property
9 if no identifiable charge is made for the guarantee.

10 2. A residential service contract, guarantee or warranty

11 between a residential customer and a service company which will
12 perform the work itself and not through subcontractors for
13 the service, repair or replacement of residential property,
14 appliances, or electrical, plumbing, heating, cooling or
15 air-conditioning systems.

16 3. A contract between a service company issuing residential
17 service contracts and a person who actually performs the
18 maintenance, repairs, or replacements of structural components,
19 or appliances, or electrical, plumbing, heating, cooling, or
20 air-conditioning systems, if someone other than the service
21 company actually performs these functions.

22 4. A residential service contract, guarantee or warranty
23 issued by a retail merchant to a retail customer, guaranteeing
24 or warranting the repair, service or replacement of appliances
25 or electrical, plumbing, heating, cooling or air-conditioning
26 systems sold by said retail merchant.

27 5. A residential service contract, guarantee, or warranty
28 issued by a manufacturer, third party, or retail company,
29 covering the repair, maintenance, or replacement of residential
30 property, individual appliances, and other individual items
31 of merchandise marketed and sold by a retail company, in the
32 ordinary course of business.

33 6. A motor vehicle service contract issued by the
34 manufacturer or importer of the motor vehicle covered by
35 the service contract or to any third party acting in an

Page 20

1 administrative capacity on the manufacturer's behalf in
2 connection with that service contract.

3 7. A residential service contract involving residential
4 property containing more than four dwelling units.

5 8. A warranty.

6 9. A motor vehicle service contract issued, offered for
7 sale, or sold to any person other than a consumer.

8 10. A maintenance agreement.

9 Sec. 13. Section 523C.17, Code 2019, is amended to read as
10 follows:

11 **523C.17 Lending institutions, ~~service companies, and~~**
12 **~~insurance companies.~~**

13 A bank, savings association, insurance company, or other
14 lending institution shall not require the purchase of a motor
15 vehicle service contract or residential service contract as
16 a condition of a loan or the sale of any property or motor
17 vehicle. ~~A service company or an insurer, either directly or~~
18 ~~indirectly, as a part of any real property transaction in which~~
19 ~~a residential service contract will be issued, purchased, or~~
20 ~~acquired, shall not require that a residential service contract~~
21 ~~be issued, purchased, or acquired in conjunction with or as a~~
22 ~~condition precedent to the issuance, purchase, or acquisition,~~
23 ~~by any person, of a policy of insurance. A lending institution~~
24 ~~shall not sell a residential service contract to a borrower~~

25 ~~unless the borrower signs an affidavit acknowledging that~~
26 ~~the purchase is not required.~~ Violation of this section is
27 punishable as provided in section 523C.13.
28 Sec. 14. Section 523C.22, Code 2019, is amended to read as
29 follows:
30 **523C.22 Claim procedures.**
31 A licensed service company shall promptly provide a written
32 explanation to the ~~residential customer~~ service contract
33 holder, describing the reasons for denying a claim or for the
34 offer of a compromise settlement, based on all relevant facts
35 or legal requirements and referring to applicable provisions of

Page 21

1 the ~~residential~~ service contract.
2 Sec. 15. NEW SECTION. **523C.24 Service company oversight**
3 **fund.**
4 1. A service company oversight fund is created in the
5 state treasury as a separate fund under the control of the
6 commissioner. The fund shall consist of all moneys deposited
7 in the fund pursuant to subsection 2.
8 2. The commissioner shall deposit in the service company
9 oversight fund an amount equal to one-third of all licensing,
10 examination, renewal, and inspection fees collected under this
11 chapter, provided that the maximum amount of fees deposited
12 in the fund each fiscal year shall not exceed five hundred
13 thousand dollars. Any remaining fees collected under this
14 chapter and not deposited in the service company oversight fund
15 shall be deposited as provided in section 505.7.
16 3. Moneys in the service company oversight fund are
17 appropriated to the commissioner for the administration and
18 enforcement of this chapter, and for establishing service
19 contract consumer complaint, education, and outreach programs.
20 4. Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the service company oversight
22 fund shall be credited to the fund. Notwithstanding section
23 8.33, moneys credited to the fund shall not revert at the close
24 of a fiscal year.
25 Sec. 16. REPEAL. Chapter 516E, Code 2019, is repealed.
26 Sec. 17. REPEAL. Sections 523C.8, 523C.8A, 523C.11,
27 523C.14, and 523C.18, Code 2019, are repealed.
28 Sec. 18. EMERGENCY RULES. The commissioner of insurance
29 may adopt emergency rules under section 17A.4, subsection 3,
30 and section 17A.5, subsection 2, paragraph "b", to implement
31 the provisions of this Act and the rules shall be effective
32 immediately upon filing unless a later date is specified in the
33 rules. Any rules adopted in accordance with this section shall
34 also be published as a notice of intended action as provided
35 in section 17A.4.

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1 Sec. 19. **EFFECTIVE DATE.** This Act, being deemed of
2 immediate importance, takes effect upon enactment.>

ZACH NUNN

S-3195

1 Amend House File 765, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

7 Section 1. REBUILD IOWA INFRASTRUCTURE FUND —
8 APPROPRIATIONS. There is appropriated from the rebuild Iowa
9 infrastructure fund to the following departments and agencies
0 for the following fiscal years, the following amounts, or so
1 much thereof as is necessary, to be used for the purposes
2 designated:

1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

4 a. (1) For deposit in the water quality initiative fund
5 created in section 466B.45 for purposes of supporting the
6 water quality initiative administered by the division of soil
7 conservation and water quality as provided in section 466B.42,
8 including salaries, support, maintenance, and miscellaneous
9 purposes, notwithstanding section 8.57, subsection 5, paragraph
10 "c".

21 FY 2019–2020:

22\$ 5,200,000

(2) (a) The moneys appropriated in this lettered paragraph shall be used to support demonstration projects in subwatersheds as designated by the department that are part of high-priority watersheds identified by the water resources coordinating council.

(b) The moneys appropriated in this lettered paragraph shall be used to support demonstration projects in watersheds generally, including regional watersheds, as designated by the division and high-priority watersheds identified by the water resources coordinating council.

(3) In supporting projects in watersheds and subwatersheds as provided in subparagraph (2), subparagraph divisions (a) and (b), all of the following shall apply:

Page 2

1 (a) The demonstration projects shall utilize water quality
2 practices as described in the latest revision of the document
3 entitled "Iowa Nutrient Reduction Strategy" initially presented
4 in November 2012 by the department of agriculture and land
5 stewardship, the department of natural resources, and Iowa

6 state university of science and technology.

7 (b) The division shall implement demonstration projects
8 as provided in subparagraph division (a) by providing
9 for participation by persons who hold a legal interest in
10 agricultural land used in farming. To every extent practical,
11 the division shall provide for collaborative participation by
12 such persons who hold a legal interest in agricultural land
13 located within the same subwatershed.

14 (c) The division shall implement demonstration projects on
15 a cost-share basis as determined by the division. Except for
16 edge-of-field practices, the state's share of the amount shall
17 not exceed 50 percent of the estimated cost of establishing the
18 practice as determined by the division or 50 percent of the
19 actual cost of establishing the practice, whichever is less.

20 (d) The demonstration projects shall be used to educate
21 other persons about the feasibility and value of establishing
22 similar water quality practices. The division shall promote
23 field day events for purposes of allowing interested persons to
24 establish water quality practices on their agricultural land.

25 (e) The division shall conduct water quality evaluations
26 within supported subwatersheds. Within a reasonable period
27 after accumulating information from such evaluations, the
28 division shall create an aggregated database of water quality
29 practices. Any information identifying a person holding a
30 legal interest in agricultural land or specific agricultural
31 land shall be a confidential record.

32 (4) The moneys appropriated in this lettered paragraph
33 shall be used to support education and outreach in a manner
34 that encourages persons who hold a legal interest in
35 agricultural land used for farming to implement water quality

Page 3

1 practices, including the establishment of such practices in
2 watersheds generally, and not limited to subwatersheds or
3 high-priority watersheds.

4 (5) The moneys appropriated in this lettered paragraph
5 may be used to contract with persons to coordinate the
6 implementation of efforts provided in this paragraph.

7 (6) The moneys appropriated in this lettered paragraph
8 may be used by the department to support urban soil and water
9 conservation efforts, which may include but are not limited
10 to management practices related to bioretention, landscaping,
11 the use of permeable or pervious pavement, and soil quality
12 restoration. The moneys shall be allocated on a cost-share
13 basis as provided in chapter 161A.

14 (7) Notwithstanding any other provision of law to the
15 contrary, the department may use moneys appropriated in
16 this lettered paragraph to carry out the provisions of this
17 paragraph on a cost-share basis in combination with other
18 moneys available to the department from a state or federal
19 source.

(8) Not more than 10 percent of the moneys appropriated in this lettered paragraph may be used for costs of administration and implementation of the water quality initiative administered by the soil conservation division.

b. For deposit in the renewable fuels infrastructure fund created in section 159A.16 for renewable fuel infrastructure programs:

| | | |
|---------------|----|-----------|
| FY 2019–2020: | \$ | 3,000,000 |
|---------------|----|-----------|

2. DEPARTMENT OF CORRECTIONS

For a fire suppression system for the sixth judicial district community-based corrections residential facility:

| | | |
|---------------|----|---------|
| FY 2019–2020: | \$ | 150,000 |
|---------------|----|---------|

3. DEPARTMENT OF CULTURAL AFFAIRS

a. For deposit in the Iowa great places program fund created

Page 4

in section 303.3D for Iowa great places program projects that meet the definition of “vertical infrastructure” in section 8.57, subsection 5, paragraph “c”:

| | | |
|---------------|----|-----------|
| FY 2019–2020: | \$ | 1,000,000 |
|---------------|----|-----------|

b. For grants to nonprofit organizations committed to strengthening communities through youth development, healthy living, and social responsibility for costs associated with the renovation and maintenance of facility infrastructure at facilities located in cities with a population of less than 28,000 as determined by the 2010 federal decennial census:

| | | |
|---------------|----|---------|
| FY 2019–2020: | \$ | 250,000 |
|---------------|----|---------|

4. ECONOMIC DEVELOPMENT AUTHORITY

a. For deposit in the community attraction and tourism fund created in section 15F.204:

| | | |
|---------------|----|-----------|
| FY 2019–2020: | \$ | 5,000,000 |
|---------------|----|-----------|

b. For equal distribution to regional sports authority districts certified by the department pursuant to section 15E.321, notwithstanding section 8.57, subsection 5, paragraph “c”:

| | | |
|---------------|----|---------|
| FY 2019–2020: | \$ | 500,000 |
|---------------|----|---------|

c. For administration and support of the world food prize including the Borlaug/Ruan scholar program, notwithstanding section 8.57, subsection 5, paragraph “c”:

| | | |
|---------------|----|---------|
| FY 2019–2020: | \$ | 300,000 |
|---------------|----|---------|

d. For deposit in the vacant state buildings demolition fund created in section 15.261:

| | | |
|---------------|----|-----------|
| FY 2019–2020: | \$ | 1,000,000 |
|---------------|----|-----------|

| | | | |
|----|---------------|----|-----------|
| 34 | FY 2020–2021: | | |
| 35 | ..... | \$ | 1,000,000 |

Page 5

| | | | |
|----|---|----|-----------|
| 1 | FY 2021–2022: | | |
| 2 | ..... | \$ | 1,000,000 |
| 3 | e. For deposit in the vacant state buildings rehabilitation | | |
| 4 | fund created in section 15.262, notwithstanding section 8.57, | | |
| 5 | subsection 5, paragraph “c”: | | |
| 6 | FY 2019–2020: | | |
| 7 | ..... | \$ | 1,000,000 |
| 8 | FY 2020–2021: | | |
| 9 | ..... | \$ | 1,000,000 |
| 10 | FY 2021–2022: | | |
| 11 | ..... | \$ | 1,000,000 |
| 12 | f. For the building of an independent innovation center at | | |
| 13 | a year-round camp for persons with disabilities that is located | | |
| 14 | in a city with a population of more than 200,000 as determined | | |
| 15 | by the 2010 federal decennial census: | | |
| 16 | FY 2019–2020: | | |
| 17 | ..... | \$ | 200,000 |
| 18 | FY 2020–2021: | | |
| 19 | ..... | \$ | 800,000 |
| 20 | 5. DEPARTMENT OF HUMAN SERVICES | | |
| 21 | For the renovation and construction of certain nursing | | |
| 22 | facilities, consistent with the provisions of chapter 249K: | | |
| 23 | FY 2019–2020: | | |
| 24 | ..... | \$ | 500,000 |
| 25 | 6. IOWA FINANCE AUTHORITY | | |
| 26 | For deposit in the housing trust fund created in section | | |
| 27 | 16.181: | | |
| 28 | FY 2019–2020: | | |
| 29 | ..... | \$ | 50,000 |
| 30 | 7. DEPARTMENT OF NATURAL RESOURCES | | |
| 31 | a. For implementation of lake projects that have | | |
| 32 | established watershed improvement initiatives and community | | |
| 33 | support in accordance with the department’s annual lake | | |
| 34 | restoration plan and report, notwithstanding section 8.57, | | |
| 35 | subsection 5, paragraph “c”: | | |

Page 6

| | | | |
|---|--|----|-----------|
| 1 | FY 2019–2020: | | |
| 2 | ..... | \$ | 9,600,000 |
| 3 | b. For the administration of a water trails and low head | | |
| 4 | dam public hazard statewide plan, including salaries, support, | | |
| 5 | maintenance, and miscellaneous purposes, notwithstanding | | |
| 6 | section 8.57, subsection 5, paragraph “c”: | | |
| 7 | FY 2019–2020: | | |
| 8 | ..... | \$ | 500,000 |
| 9 | c. For state park vertical infrastructure improvements: | | |

| | | |
|----|--|--------------|
| 10 | FY 2019–2020: | |
| 11 | ..... | \$ 2,000,000 |
| 12 | 8. DEPARTMENT OF PUBLIC DEFENSE | |
| 13 | a. For major maintenance projects at national guard | |
| 14 | armories and facilities: | |
| 15 | FY 2019–2020: | |
| 16 | ..... | \$ 1,000,000 |
| 17 | b. For improvement projects for Iowa national guard | |
| 18 | installations and readiness centers to support operations and | |
| 19 | training requirements: | |
| 20 | FY 2019–2020: | |
| 21 | ..... | \$ 1,000,000 |
| 22 | c. For construction improvement projects at the Camp Dodge | |
| 23 | facility: | |
| 24 | FY 2019–2020: | |
| 25 | ..... | \$ 250,000 |
| 26 | d. The department of public defense shall report to the | |
| 27 | general assembly by December 15, 2019, regarding the projects | |
| 28 | the department has funded, or intends to fund, from moneys | |
| 29 | appropriated to the department pursuant to this subsection for | |
| 30 | the fiscal year beginning July 1, 2019. | |
| 31 | 9. DEPARTMENT OF PUBLIC SAFETY | |
| 32 | a. For payments and other costs due under a financing | |
| 33 | agreement entered into by the treasurer of state for building | |
| 34 | the statewide interoperable communications system pursuant to | |
| 35 | section 29C.23, subsection 2, notwithstanding section 8.57, | |

Page 7

| | | |
|----|--|---------------|
| 1 | subsection 5, paragraph “c”: | |
| 2 | FY 2019–2020: | |
| 3 | ..... | \$ 3,719,355 |
| 4 | b. For the purchase of a liquid chromatograph, | |
| 5 | notwithstanding section 8.57, subsection 5, paragraph “c”: | |
| 6 | FY 2019–2020: | |
| 7 | ..... | \$ 325,000 |
| 8 | c. For the purchase of equipment that can detect the | |
| 9 | presence of explosive material, notwithstanding section 8.57, | |
| 10 | subsection 5, paragraph “c”: | |
| 11 | FY 2019–2020: | |
| 12 | ..... | \$ 29,000 |
| 13 | 10. BOARD OF REGENTS | |
| 14 | a. For allocation by the state board of regents to the | |
| 15 | state university of Iowa, Iowa state university of science | |
| 16 | and technology, and the university of northern Iowa to | |
| 17 | reimburse the institutions for deficiencies in the operating | |
| 18 | funds resulting from the pledging of tuition, student fees | |
| 19 | and charges, and institutional income to finance the cost of | |
| 20 | providing academic and administrative buildings and facilities | |
| 21 | and utility services at the institutions: | |
| 22 | FY 2019–2020: | |
| 23 | ..... | \$ 28,098,870 |

| | | | |
|----|---|----|-----------|
| 24 | b. For the renovation of long hall at the Iowa school for | | |
| 25 | the deaf: | | |
| 26 | FY 2019–2020: | | |
| 27 | ..... | \$ | 3,000,000 |
| 28 | FY 2020–2021: | | |
| 29 | ..... | \$ | 1,325,000 |
| 30 | c. For the renovation and construction of an industrial | | |
| 31 | technology center at the university of northern Iowa to | | |
| 32 | include reimbursement of infrastructure costs incurred by the | | |
| 33 | university for construction of the facility in the prior fiscal | | |
| 34 | year, notwithstanding section 262.67, if enacted: | | |
| 35 | FY 2020–2021: | | |

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| | | | |
|----|---|----|-----------|
| 1 | | \$ | 1,000,000 |
| 2 | 11. STATE FAIR AUTHORITY | | |
| 3 | a. For infrastructure costs associated with the remodeling | | |
| 4 | of the 4-H building on the state fairgrounds, to include | | |
| 5 | reimbursement of infrastructure costs incurred by the authority | | |
| 6 | for remodel costs of the facility in the prior fiscal year: | | |
| 7 | FY 2019–2020: | | |
| 8 | ..... | \$ | 500,000 |
| 9 | FY 2020–2021: | | |
| 10 | ..... | \$ | 4,500,000 |
| 11 | b. For costs associated with the state historical building | | |
| 12 | task force, notwithstanding section 8.57, subsection 5, | | |
| 13 | paragraph “c”: | | |
| 14 | FY 2019–2020: | | |
| 15 | ..... | \$ | 500,000 |
| 16 | 12. DEPARTMENT OF TRANSPORTATION | | |
| 17 | a. For acquiring, constructing, and improving recreational | | |
| 18 | trails within the state: | | |
| 19 | FY 2019–2020: | | |
| 20 | ..... | \$ | 1,500,000 |
| 21 | b. For deposit in the public transit infrastructure grant | | |
| 22 | fund created in section 324A.6A, for projects that meet | | |
| 23 | the definition of vertical infrastructure in section 8.57, | | |
| 24 | subsection 5, paragraph “c”: | | |
| 25 | FY 2019–2020: | | |
| 26 | ..... | \$ | 1,500,000 |
| 27 | c. For deposit in the railroad revolving loan and grant | | |
| 28 | fund created in section 327H.20A, notwithstanding section 8.57, | | |
| 29 | subsection 5, paragraph “c”: | | |
| 30 | FY 2019–2020: | | |
| 31 | ..... | \$ | 1,000,000 |
| 32 | d. For vertical infrastructure improvements at the | | |
| 33 | commercial service airports within the state: | | |
| 34 | FY 2019–2020: | | |
| 35 | | \$ | 1,900,000 |

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1 e. For vertical infrastructure improvements at general
2 aviation airports within the state:
3 FY 2019–2020:
4 \$ 1,000,000
5 13. TREASURER OF STATE
6 For distribution in accordance with chapter 174 to qualified
7 fairs that belong to the association of Iowa fairs for county
8 fair vertical infrastructure improvements:
9 FY 2019–2020:
10 \$ 1,060,000
11 14. IOWA VETERANS HOME
12 For replacement of the mechanical and electrical
13 distribution systems in various buildings:
14 FY 2019–2020:
15 \$ 6,134,840
16 15. JUDICIAL BRANCH
17 For furniture and equipment for justice centers located in
18 counties with a population of less than 400,000 as determined
19 by the 2010 federal decennial census, notwithstanding section
20 8.57, subsection 5, paragraph “c”:
21 FY 2019–2020:
22 \$ 193,620
23 Sec. 2. REVERSION. For purposes of section 8.33, unless
24 specifically provided otherwise, unencumbered or unobligated
25 moneys from an appropriation made in this division of this Act
26 shall not revert but shall remain available for expenditure for
27 the purposes designated until the close of the fiscal year that
28 ends two years after the end of the fiscal year for which the
29 appropriation is made. However, if the project or projects for
30 which such appropriation was made are completed in an earlier
31 fiscal year, unencumbered or unobligated moneys shall revert at
32 the close of that same fiscal year.
33 DIVISION II
34 TECHNOLOGY REINVESTMENT FUND
35 Sec. 3. TECHNOLOGY REINVESTMENT FUND. There is

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1 appropriated from the technology reinvestment fund created in
2 section 8.57C to the following departments and agencies for the
3 fiscal year beginning July 1, 2019, and ending June 30, 2020,
4 the following amounts, or so much thereof as is necessary, to
5 be used for the purposes designated:
6 1. OFFICE OF THE CHIEF INFORMATION OFFICER
7 For the license of software that provides an online,
8 real-time performance dashboard that will serve as a single
9 source of agency performance measures and results and for
10 a single enterprise system to support enterprise content
11 management:
12 \$ 1,000,000

13 2. DEPARTMENT OF CORRECTIONS

14 For computer switches upgrades, upgrades to various camera
 15 and phone systems and fiber lines, and building automated
 16 systems:

17 FY 2019–2020:

18 \$ 629,000

19 3. DEPARTMENT OF EDUCATION

20 a. For the continued development and implementation of an
 21 educational data warehouse to be utilized by teachers, parents,
 22 school district administrators, area education agency staff,
 23 department of education staff, and policymakers:

24 \$ 600,000

25 The department may allocate a portion of the moneys
 26 appropriated in this lettered paragraph for an e-transcript
 27 data system capable of tracking students throughout their
 28 education via interconnectivity with multiple schools.

29 b. For maintenance and lease costs associated with
 30 connections for part III of the Iowa communications network:

31 \$ 2,727,000

32 c. To the public broadcasting division for the replacement
 33 of equipment:

34 \$ 500,000

35 4. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Page 11

1 For the implementation of a statewide mass notification and
 2 emergency messaging system:

3 \$ 400,000

4 5. DEPARTMENT OF HUMAN RIGHTS

5 a. For the cost of equipment and computer software for the
 6 continued development and implementation of Iowa's criminal
 7 justice information system:

8 \$ 1,200,000

9 b. For the costs associated with the justice enterprise data
 10 warehouse:

11 \$ 157,980

12 6. DEPARTMENT OF HUMAN SERVICES

13 For the replacement of the family and children services
 14 system:

15 \$ 5,525,660

16 7. STATE PUBLIC DEFENDER

17 For technology projects:

18 \$ 50,000

19 8. IOWA LAW ENFORCEMENT ACADEMY

20 For technology projects:

21 \$ 15,000

22 9. DEPARTMENT OF MANAGEMENT

23 a. For the continued development and implementation of
 24 a searchable database that can be placed on the internet for
 25 budget and financial information:

26 \$ 45,000

| | | |
|----|--|------------|
| 27 | b. For the continued development and implementation of the | |
| 28 | comprehensive electronic grant management system: | |
| 29 | ..... | \$ 50,000 |
| 30 | c. For the upgrade of the local government budget and | |
| 31 | property tax system: | |
| 32 | ..... | \$ 120,000 |
| 33 | 10. DEPARTMENT OF PUBLIC HEALTH | |
| 34 | For the consolidation of the AMANDA database management | |
| 35 | system: | |

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| | | |
|----|---|------------|
| 1 | | \$ 796,800 |
| 2 | 11. DEPARTMENT OF PUBLIC SAFETY | |
| 3 | a. For replacement of a server storage system: | |
| 4 | ..... | \$ 290,000 |
| 5 | b. For technology upgrades at Iowa state patrol district 16: | |
| 6 | ..... | \$ 250,000 |
| 7 | c. For replacement of the lab management system: | |
| 8 | ..... | \$ 300,000 |
| 9 | 12. DEPARTMENT OF VETERANS AFFAIRS | |
| 10 | For technology projects: | |
| 11 | ..... | \$ 5,000 |
| 12 | Sec. 4. REVERSION. For purposes of section 8.33, unless | |
| 13 | specifically provided otherwise, unencumbered or unobligated | |
| 14 | moneys from an appropriation made in this division of this Act | |
| 15 | shall not revert but shall remain available for expenditure for | |
| 16 | the purposes designated until the close of the fiscal year that | |
| 17 | ends two years after the end of the fiscal year for which the | |
| 18 | appropriation is made. However, if the project or projects for | |
| 19 | which such appropriation was made are completed in an earlier | |
| 20 | fiscal year, unencumbered or unobligated moneys shall revert at | |
| 21 | the close of that same fiscal year. | |

DIVISION III

CHANGES TO PRIOR APPROPRIATIONS

| | | |
|----|--|--|
| 24 | Sec. 5. 2014 Iowa Acts, chapter 1136, section 2, as amended | |
| 25 | by 2018 Iowa Acts, chapter 1162, section 8, is amended to read | |
| 26 | as follows: | |
| 27 | SEC. 2. REVERSION. | |
| 28 | 1. Except as otherwise provided in subsection 2, for | |
| 29 | purposes of section 8.33, unless specifically provided | |
| 30 | otherwise, unencumbered or unobligated moneys made from an | |
| 31 | appropriation in this division of this Act shall not revert | |
| 32 | but shall remain available for expenditure for the purposes | |
| 33 | designated until the close of the fiscal year that ends | |
| 34 | three years after the end of the fiscal year for which the | |
| 35 | appropriation is made. However, if the project or projects for | |

Page 13

| | | |
|---|---|--|
| 1 | which such appropriation was made are completed in an earlier | |
| 2 | fiscal year, unencumbered or unobligated moneys shall revert at | |

the close of that same fiscal year.

2. For purposes of section 8.33, unencumbered or unobligated moneys from an appropriation in section 1, subsection 5, paragraph “c”, in this division of this Act shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, ~~2018~~ 2020, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 6. 2015 Iowa Acts, chapter 139, section 1, subsection 10, paragraph b, as amended by 2017 Iowa Acts, chapter 173, section 11, and 2018 Iowa Acts, chapter 1162, section 9, is amended to read as follows:

b. For construction of a student innovation center at Iowa state university of science and technology, to include reimbursement of infrastructure costs incurred by the university for construction of the facility in the prior fiscal year:

| | | |
|---------------|----|-----------------------|
| FY 2016–2017: | | |
| ..... | \$ | 1,000,000 |
| FY 2017–2018: | | |
| ..... | \$ | 6,000,000 |
| FY 2018–2019: | | |
| ..... | \$ | 6,000,000 |
| FY 2019–2020: | | |
| ..... | \$ | 10,000,000 |
| | | <u>7,000,000</u> |
| FY 2020–2021: | | |
| ..... | \$ | 10,000,000 |
| FY 2021–2022: | | |
| ..... | \$ | 7,000,000 |
| | | <u>10,000,000</u> |

Sec. 7. 2016 Iowa Acts, chapter 1133, section 2, is amended to read as follows:

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SEC. 2. REVERSION.

1. For Except as provided in subsection 2, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys appropriated and allocated for the costs of major maintenance of monuments without dedicated funds available for maintenance

17 and restoration, in section 1, subsection 1, in this division
18 of this 2016 Act, shall not revert but shall remain available
19 for the purpose designated until the close of the fiscal year
20 that begins July 1, 2023.

21 Sec. 8. EFFECTIVE DATE. This division of this Act, being
22 deemed of immediate importance, takes effect upon enactment.

23 DIVISION IV

24 DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Sec. 9. Section 8A.321, Code 2019, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 15. Prepare an annual report listing any
28 state building, as defined in section 8A.318, that is vacant
29 and submit the annual report to the legislative services agency
30 and the department of management on or before January 15 of
31 each year.

32 Sec. 10. Section 8A.330, subsection 3, Code 2019, is amended
33 to read as follows:

34 3. Moneys in the routine maintenance fund are appropriated
35 to the department for purposes of routine maintenance projects

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1 ~~for physical properties under the control of the department~~
2 ~~state buildings and facilities, excluding buildings and~~
3 ~~facilities under the control of the state board of regents,~~
4 ~~state department of transportation, department of natural~~
5 ~~resources, and department of public defense.~~ For purposes of
6 this section, routine maintenance includes regular upkeep of
7 physical properties and recurring, preventive, and ongoing
8 maintenance necessary to delay or prevent the failure of
9 physical properties.

10 DIVISION V

11 MISCELLANEOUS PROVISIONS

12 Sec. 11. Section 8.57C, subsection 3, paragraph a,
13 subparagraph (2), Code 2019, is amended to read as follows:

14 (2) The fiscal year beginning July 1, ~~2019~~ 2020, and for
15 each subsequent fiscal year thereafter.

16 Sec. 12. Section 8.57C, subsection 3, Code 2019, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. h. There is appropriated from the rebuild
19 Iowa infrastructure fund for the fiscal year beginning July 1,
20 2019, and ending June 30, 2020, the sum of seventeen million
21 nine hundred eighty-nine thousand nine hundred seventy-five
22 dollars to the technology reinvestment fund, notwithstanding
23 section 8.57, subsection 5, paragraph "c".

24 Sec. 13. STATE HISTORICAL BUILDING TASK FORCE.

25 1. A state historical building task force is established
26 within the state fair authority. The state fair authority
27 shall provide administrative support for the task force.

28 2. The task force shall consist of the following members:

29 a. One member appointed by the Iowa state fair board.

30 b. One member appointed by the Iowa state fair foundation

31 established in section 173.22.

32 c. One member appointed by the director of the department of
33 administrative services.

34 d. One member who is designated by the general assembly as
35 the facilities manager for facilities under the control of the

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1 general assembly.

2 e. One member appointed by the director of the department of
3 cultural affairs.

4 f. One member appointed by the governor.

5 g. Four members of the general assembly serving as ex
6 officio, nonvoting members, with one representative to be
7 appointed by the speaker of the house of representatives, one
8 representative to be appointed by the minority leader of the
9 house of representatives, one senator to be appointed by the
10 majority leader of the senate, and one senator to be appointed
11 by the minority leader of the senate.

12 3. The task force shall consider the feasibility, costs,
13 and possible options relative to construction of a new state
14 historical building museum on the state fairgrounds, to include
15 options for relocating the collections stored in the current
16 state historical building and creating increased access to the
17 collections to Iowans.

18 4. The task force shall provide an interim report to
19 the general assembly by December 20, 2019, concerning the
20 activities of the task force and shall submit its final report,
21 including its findings and recommendations, to the general
22 assembly by January 1, 2021.

23 DIVISION VI

24 VACANT STATE BUILDINGS — FUNDS

25 Sec. 14. NEW SECTION. **15.261 Vacant state buildings**
26 **demolition fund.**

27 1. A vacant state buildings demolition fund is created in
28 the state treasury under the control of the authority. The
29 fund shall consist of all moneys appropriated to the fund.

30 2. Moneys in the vacant state buildings demolition fund are
31 appropriated to the authority for purposes of funding a grant
32 program for the demolition of vacant buildings owned by the
33 state which are no longer used for a state purpose.

34 3. Notwithstanding section 12C.7, subsection 2, interest
35 or earnings on moneys deposited in the vacant state buildings

Page 17

1 demolition fund shall be credited to the vacant state buildings
2 demolition fund. Notwithstanding section 8.33, moneys credited
3 to the vacant state buildings demolition fund shall not revert
4 at the close of a fiscal year.

5 Sec. 15. NEW SECTION. **15.262 Vacant state buildings**
6 **rehabilitation fund.**

7 1. A vacant state buildings rehabilitation fund is created
8 in the state treasury under the control of the authority. The
9 fund shall consist of all moneys appropriated to the fund.

10 2. Moneys in the vacant state buildings rehabilitation fund
11 are appropriated to the authority for purposes of funding a
12 loan program for the rehabilitation or redevelopment of vacant
13 buildings owned by the state which are no longer used for a
14 state purpose.

15 3. Notwithstanding section 12C.7, subsection 2, interest
16 or earnings on moneys deposited in the vacant state buildings
17 rehabilitation fund shall be credited to the vacant state
18 buildings rehabilitation fund. Notwithstanding section 8.33,
19 moneys credited to the vacant state buildings rehabilitation
20 fund shall not revert at the close of a fiscal year.

21 DIVISION VII

22 REGENTS CONSTRUCTION — MATCH REQUIREMENTS

23 Sec. 16. NEW SECTION. **262.67 State appropriations — match**
24 **requirements.**

25 1. The board shall, as a condition of receiving an
26 appropriation from the rebuild Iowa infrastructure fund
27 created in section 8.57 for the construction of buildings and
28 facilities at an institution as defined in section 262.55,
29 require the applicable institution to provide a match from both
30 private and public sources excluding funding from the state as
31 provided in this section.

32 2. *a.* For construction of buildings and facilities at
33 the state university of Iowa and the Iowa state university
34 of science and technology, a match of at least two dollars
35 for each three dollars appropriated from the rebuild Iowa

Page 18

1 infrastructure fund created in section 8.57.

2 *b.* For construction of buildings and facilities at the
3 university of northern Iowa, a match of at least one dollar
4 for each four dollars appropriated from the rebuild Iowa
5 infrastructure fund created in section 8.57.

6 3. This section does not apply to an appropriation from
7 the rebuild Iowa infrastructure fund created in section 8.57
8 for debt service payments on academic revenue bonds issued in
9 accordance with chapter 262A for capital projects at board of
10 regents institutions.

11 Sec. 17. **APPLICABILITY.** This division of this Act applies
12 to new construction projects commenced on or after July 1,
13 2020.

14 DIVISION VIII

15 ON-STREAM IMPOUNDMENT RESTORATION

16 Sec. 18. NEW SECTION. **456A.33C On-stream impoundment**
17 **restoration fund.**

18 1. For purposes of this section, unless the context
19 otherwise requires, “*eligible water body*” means a body of water
20 that meet all of the following criteria:

- 21 a. Is owned by the state of Iowa, a county, a municipal
22 government, or a public entity organized under chapter 357E.
23 b. Is a multi-use system capable of supporting diverse
24 wildlife, fish, and recreational opportunities.
25 c. Has a surface water area of at least ten acres.
26 d. Has a watershed-to-body of water ratio of not less than
27 two hundred to one and not more than one thousand to one.
28 e. Is a public body of water with public access.
29 f. Has diverse water depths and is capable of supporting
30 aquatic vegetation.
31 g. Is not used solely as a water supply reservoir.
32 2. An on-stream impoundment restoration fund is created in
33 the state treasury under the control of the department. The
34 fund shall consist of all moneys appropriated to the fund.
35 3. a. Moneys in the on-stream impoundment restoration fund

Page 19

- 1 are appropriated to the department subject to the requirements
2 of this section for purposes of funding projects for the
3 maintenance, restoration, and sustainability of eligible water
4 bodies and their related watersheds.
5 b. The department shall fund projects from the on-stream
6 impoundment restoration fund for eligible water bodies that are
7 designed to achieve the following goals:
8 (1) Ensure a cost-effective, positive return on investment
9 for the citizens of Iowa.
10 (2) Ensure local community commitment to watershed
11 protection.
12 (3) Ensure significant improvement in water clarity,
13 safety, and quality.
14 (4) Provide for sustainable, healthy, and functioning
15 bodies of water.
16 (5) Contribute to the department's fish and wildlife
17 conservation plans.
18 c. The process and criteria the department shall utilize
19 to fund projects under this section shall favor proposals
20 which include nonstate matching funds of at least one dollar
21 for every dollar of state funding, and funding for watershed
22 improvement practices and participation of corresponding
23 watershed management authority.
24 4. Notwithstanding section 12C.7, subsection 2, interest
25 or earnings on moneys deposited in the on-stream impoundment
26 restoration fund shall be credited to the on-stream impoundment
27 restoration fund. Notwithstanding section 8.33, moneys
28 credited to the on-stream impoundment restoration fund that
29 remain unobligated and unencumbered at the close of a fiscal
30 year shall not revert.>
31 2. Title page, line 4, after <date> by inserting <and
32 applicability>

S-3196

- 1 Amend the House amendment, S-3170, to Senate File 188, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, line 3, by striking <subsection 2> and inserting
- 4 <subsections 2 and 3>
- 5 2. Page 1, after line 4 by inserting:
- 6 <_. Page 1, line 32, by striking <262,> and inserting
- 7 <262>>
- 8 3. Page 1, after line 16 by inserting:
- 9 <3. This section shall not apply to any policy or rule
- 10 adopted or enforced by the governing board of a university
- 11 under the control of the state board of regents as provided
- 12 in chapter 262 that prohibits the carrying, transportation,
- 13 or possession of a dangerous weapon that directs an electric
- 14 current, impulse, wave, or beam that produces a high-voltage
- 15 pulse designed to immobilize a person inside the buildings or
- 16 physical structures of any stadium or hospital associated with
- 17 an institution governed by the state board of regents.>
- 18 4. By renumbering as necessary.

AMY SINCLAIR

S-3197

- 1 Amend the amendment, S-3195, to House File 765, as amended,
- 2 passed, and reprinted by the House, as follows:
- 3 1. Page 12, after line 8 by inserting:
- 4 <d. For evidence management and comparison software:
- 5 \$ 80,000>
- 6 2. Page 15, line 20, by striking <seventeen> and inserting
- 7 <eighteen>
- 8 3. Page 15, line 21, by striking <nine hundred eighty-nine>
- 9 and inserting <sixty-nine>
- 10 4. By renumbering as necessary.

CRAIG JOHNSON

S-3198

- 1 Amend Senate File 621 as follows:
- 2 1. Page 1, line 29, by striking <adult>
- 3 2. Page 1, line 34, by striking <adult>
- 4 3. Page 1, line 35, after <section> by inserting
- 5 <, including with any required redaction of personally
- 6 identifiable information pursuant to subsection 2, paragraph
- 7 "a", subparagraph (4)>
- 8 4. Page 2, by striking lines 1 through 7 and inserting:
- 9 <a. (1) If an adopted person who is the subject of the
- 10 original certificate of birth is submitting the application,
- 11 the adopted person shall be at least eighteen years of age at
- 12 the time the application is filed.

13 (2) If an entitled person is submitting the application, the
14 adopted person who is the subject of the original certificate
15 of birth shall be deceased at the time the application is
16 filed.>

17 5. Page 2, line 8, by striking <adult>

18 6. Page 2, line 15, after <applicant> by inserting <in
19 accordance with this section, including with any required
20 redaction of personally identifiable information pursuant to
21 subsection 2, paragraph “a”, subparagraph (4)>

22 7. Page 2, line 18, after <and 3> by inserting <in
23 accordance with this section, including with any required
24 redaction of personally identifiable information pursuant to
25 subsection 2, paragraph “a”, subparagraph (4), and subsection
26 3, paragraph “a”, subparagraph (4)>

27 8. Page 2, line 21, by striking <adult>

28 9. Page 3, after line 7 by inserting:

29 <(4) “I do not want to be contacted. I request that my
30 personally identifiable information be redacted from the
31 noncertified copy of the original certificate of birth and
32 my contact preference form. I have completed this contact
33 preference form and am filing the form with the state
34 registrar. I may change this preference by filing a subsequent
35 contract preference form with the state registrar.”>

Page 2

1 10. Page 3, line 11, by striking <adult>

2 11. Page 3, line 13, after <section> by inserting
3 <, including with any required redaction of personally
4 identifiable information pursuant to subsection 2, paragraph
5 “a”, subparagraph (4)>

6 12. Page 3, after line 29 by inserting:

7 <(4) “I wish to provide the following medical information
8 included in the attached form. However, I request that my
9 personally identifiable information be redacted from the
10 medical information form prior to its release under Iowa Code
11 section 144.24A.”>

12 13. Page 4, by striking lines 2 through 5 and inserting:

13 <5. For the purposes of this section, “*entitled person*”
14 means the spouse of the adopted person who is deceased or an
15 adult related to the adopted person who is deceased within the
16 second degree of consanguinity.>

17 14. Page 4, line 16, by striking <establish> and inserting
18 <implement>

19 15. Page 4, by striking lines 20 through 32 and inserting:

20 <b. An application may be submitted under this section by an
21 adopted person or an entitled person to obtain a noncertified
22 copy of an adopted person’s original certificate of birth in
23 accordance with this section, if the adopted person who is the
24 subject of the original certificate of birth was born before
25 January 1, 1950.

26 c. Beginning January 1, 2020, an application may be

27 submitted under this section by an adopted person or an
 28 entitled person to obtain a noncertified copy of an adopted
 29 person's original certificate of birth in accordance with this
 30 section, notwithstanding the date of birth of the adopted
 31 person who is the subject of the original certificate of birth
 32 prescribed under paragraph "b".>
 33 16. Page 5, by striking lines 13 and 14 and inserting
 34 <certification certified copy of any adoption decree, and any
 35 contact preference form or medical history form associated with

Page 3

1 the>
 2 17. Page 6, by striking lines 29 through 35 and inserting:
 3 <Sec. ____ EFFECTIVE DATE. The following, being deemed of
 4 immediate importance, take effect upon enactment:
 5 1. The section of this Act enacting section 144.24A,
 6 subsection 7, paragraph "a", requiring the department of public
 7 health to implement a public awareness and notification period
 8 to promote awareness and to allow time for a biological parent
 9 to file contact preference and medical history forms.
 10 2. The section of this Act enacting section 144.24A,
 11 subsection 7, paragraph "b", providing for the submission of
 12 an application by an adopted person or an entitled person to
 13 obtain a noncertified copy of an adopted person's original
 14 certificate of birth, if the adopted person who is the subject
 15 of the original certificate of birth was born before January 1,
 16 1950.>
 17 18. Title page, line 2, by striking <adult>
 18 19. By renumbering as necessary.

ANNETTE SWEENEY

S-3199

1 Amend the House amendment, S-3171, to Senate File 609, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 5, through page 24, line 1, and
 4 inserting:
 5 <<DIVISION I
 6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 7 GENERAL APPROPRIATION
 8 Section 1. GENERAL FUND — DEPARTMENT.
 9 1. There is appropriated from the general fund of the state
 10 to the department of agriculture and land stewardship for the
 11 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 12 the following amount, or so much thereof as is necessary, to be
 13 used for the purposes designated:
 14 For purposes of supporting the department, including its
 15 divisions, for administration, regulation, and programs; for
 16 salaries, support, maintenance, and miscellaneous purposes; and
 17 for not more than the following full-time equivalent positions:

| | | | |
|----|--|------|------------|
| 18 | ..... | \$ | 18,327,339 |
| 19 | ..... | FTEs | 372.00 |
| 20 | 2. Of the amount appropriated in subsection 1, the following | | |
| 21 | amount is transferred to Iowa state university of science and | | |
| 22 | technology, to be used for the university's midwest grape and | | |
| 23 | wine industry institute: | | |
| 24 | ..... | \$ | 288,000 |
| 25 | 3. a. Of the amount appropriated in subsection 1, the | | |
| 26 | following amount is transferred to Iowa state university of | | |
| 27 | science and technology to be used for purposes of supporting | | |
| 28 | the college of veterinary medicine for the operation of the | | |
| 29 | veterinary diagnostic laboratory: | | |
| 30 | ..... | \$ | 200,000 |
| 31 | b. The amount transferred in paragraph "a" is contingent on | | |
| 32 | the enactment of 2019 Iowa Acts, Senate File 601, or successor | | |
| 33 | legislation. | | |
| 34 | 4. The department shall submit a report each quarter of the | | |
| 35 | fiscal year to the legislative services agency, the department | | |

Page 2

| | | | |
|----|---|----|---------|
| 1 | of management, the members of the joint appropriations | | |
| 2 | subcommittee on agriculture and natural resources, and the | | |
| 3 | chairpersons and ranking members of the senate and house | | |
| 4 | committees on appropriations. The report shall describe in | | |
| 5 | detail the expenditure of moneys appropriated in this section | | |
| 6 | to support the department's administration, regulation, and | | |
| 7 | programs. | | |
| 8 | DESIGNATED APPROPRIATIONS | | |
| 9 | MISCELLANEOUS FUNDS | | |
| 10 | Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — | | |
| 11 | HORSE AND DOG RACING. There is appropriated from the moneys | | |
| 12 | available under section 99D.13 to the department of agriculture | | |
| 13 | and land stewardship for the fiscal year beginning July 1, | | |
| 14 | 2019, and ending June 30, 2020, the following amount, or so | | |
| 15 | much thereof as is necessary, to be used for the purposes | | |
| 16 | designated: | | |
| 17 | For purposes of supporting the department's administration | | |
| 18 | and enforcement of horse and dog racing law pursuant to section | | |
| 19 | 99D.22, including for salaries, support, maintenance, and | | |
| 20 | miscellaneous purposes: | | |
| 21 | ..... | \$ | 305,516 |
| 22 | Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR | | |
| 23 | FUEL INSPECTION. There is appropriated from the renewable | | |
| 24 | fuel infrastructure fund created in section 159A.16 to the | | |
| 25 | department of agriculture and land stewardship for the fiscal | | |
| 26 | year beginning July 1, 2019, and ending June 30, 2020, the | | |
| 27 | following amount, or so much thereof as is necessary, to be | | |
| 28 | used for the purposes designated: | | |
| 29 | For purposes of the inspection of motor fuel, including | | |
| 30 | salaries, support, maintenance, and miscellaneous purposes: | | |
| 31 | ..... | \$ | 500,000 |

32 SPECIAL APPROPRIATIONS
33 GENERAL FUND
34 Sec. 4. DAIRY REGULATION.
35 1. There is appropriated from the general fund of the state

Page 3

1 to the department of agriculture and land stewardship for the
2 fiscal year beginning July 1, 2019, and ending June 30, 2020,
3 the following amount, or so much thereof as is necessary, to be
4 used for the purposes designated:
5 For purposes of performing functions pursuant to section
6 192.109, including conducting a survey of grade “A” milk and
7 certifying the results to the secretary of agriculture:
8 \$ 189,196
9 2. Notwithstanding section 8.33, moneys appropriated in
10 this section that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert but shall remain
12 available to be used for the purposes designated until the
13 close of the succeeding fiscal year.
14 Sec. 5. LOCAL FOOD AND FARM PROGRAM.
15 1. There is appropriated from the general fund of the state
16 to the department of agriculture and land stewardship for the
17 fiscal year beginning July 1, 2019, and ending June 30, 2020,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:
20 For purposes of supporting the local food and farm program
21 pursuant to chapter 267A:
22 \$ 75,000
23 2. The department shall enter into a cost-sharing agreement
24 with Iowa state university of science and technology to support
25 the local food and farm program coordinator position as part of
26 the university’s cooperative extension service in agriculture
27 and home economics pursuant to chapter 267A.
28 3. Notwithstanding section 8.33, moneys appropriated in
29 this section that remain unencumbered or unobligated at the
30 close of the fiscal year shall not revert but shall remain
31 available to be used for the purposes designated until the
32 close of the succeeding fiscal year.
33 Sec. 6. AGRICULTURAL EDUCATION.
34 1. There is appropriated from the general fund of the state
35 to the department of agriculture and land stewardship for the

Page 4

1 fiscal year beginning July 1, 2019, and ending June 30, 2020,
2 the following amount, or so much thereof as is necessary, to be
3 used for the purposes designated:
4 For purposes of allocating moneys to an Iowa association
5 affiliated with a national organization which promotes
6 agricultural education providing for future farmers:
7 \$ 25,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 7. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.

There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the foreign animal disease preparedness and response fund created in section 163.3B:

| | |
|----------|---------|
| \$ | 500,000 |
|----------|---------|

Sec. 8. FARMERS WITH DISABILITIES PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting a program for farmers with disabilities:

| | |
|----------|---------|
| \$ | 180,000 |
|----------|---------|

2. The moneys appropriated in subsection 1 shall be used for the public purpose of providing a grant to a national nonprofit organization with over 80 years of experience in assisting children and adults with disabilities and special needs. The moneys shall be used to support a nationally recognized program

Page 5

that began in 1986 and has been replicated in at least 30 other states, but which is not available through any other entity in this state, and that provides assistance to farmers with disabilities in all 99 counties to allow the farmers to remain in their own homes and be gainfully engaged in farming through provision of agricultural worksite and home modification consultations, peer support services, services to families, information and referral, and equipment loan services.

3. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND — HUNGRY CANYONS ACCOUNT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the hungry canyons account of the loess hills

22 development and conservation fund created pursuant to section
23 161D.2:
24 \$ 50,000
25 2. Not more than 10 percent of the moneys appropriated to
26 the hungry canyons account as provided in subsection 1 may be
27 used for administrative costs.
28 Sec. 10. AGRICULTURAL DRAINAGE WELL CLOSURES.
29 1. There is appropriated from the general fund of the state
30 to the department of agriculture and land stewardship for the
31 fiscal year beginning July 1, 2019, and ending June 30, 2020,
32 the following amount, or so much thereof as is necessary, to be
33 used for the purposes designated:
34 For deposit in the agricultural drainage well water quality
35 assistance fund created in section 460.303 for purposes

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1 of supporting the agricultural drainage well water quality
2 assistance program as provided in section 460.304:
3 \$ 1,875,000
4 2. Not more than 10 percent of the moneys appropriated
5 in subsection 1 may be used for costs of administration and
6 implementation of soil conservation practices.
7 DIVISION II
8 MONEYS CREDITED TO THE WATERSHED IMPROVEMENT FUND
9 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
10 Sec. 11. FARM MANAGEMENT DEMONSTRATION PROGRAM.
11 1. Notwithstanding 2017 Iowa Acts, chapter 168, section
12 22, as amended by 2017 Iowa Acts, chapter 170, section 42,
13 of the moneys credited to the watershed improvement fund
14 that are unencumbered or unobligated and managed by and
15 otherwise appropriated to the department of agriculture and
16 land stewardship pursuant to those sections, including any of
17 these moneys transferred to the department, the department
18 shall expend the following amount, or so much thereof as is
19 necessary, for the fiscal year beginning July 1, 2019, and
20 ending June 30, 2020, for the purpose designated:
21 2. For the continuation of a statewide voluntary
22 farm management demonstration program to demonstrate the
23 effectiveness and adaptability of emerging practices in
24 agronomy that protect water resources and provide other
25 environmental benefits:
26 \$ 100,000
27 3. The amount required to be expended by the department of
28 agriculture and land stewardship pursuant to subsection 1 shall
29 be allocated by the department to an organization representing
30 soybean growers to provide for an agriculture and environment
31 performance program in the same manner as enacted in 2017 Iowa
32 Acts, chapter 168, section 17, subsection 3.
33 Sec. 12. WATER QUALITY INITIATIVE.
34 1. Notwithstanding 2017 Iowa Acts, chapter 168, section
35 22, as amended by 2017 Iowa Acts, chapter 170, section 42, of

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1 the moneys credited to the watershed improvement fund that
2 are unencumbered or unobligated and managed by and otherwise
3 appropriated to the department of agriculture and land
4 stewardship pursuant to those sections, including any of those
5 moneys transferred to the department, the department shall
6 deposit the following amount in the water quality initiative
7 fund created in section 466B.45 for the fiscal year beginning
8 July 1, 2019, and ending June 30, 2020, to be used for the
9 purposes designated:

10 For purposes of supporting the water quality initiative
11 administered by the division of soil conservation and water
12 quality as provided in section 466B.42, including salaries,
13 support, maintenance, and miscellaneous purposes:

14 \$ 1,600,000

15 2. a. The moneys appropriated in subsection 1 shall be
16 used to support projects in subwatersheds as designated by the
17 division that are part of high-priority watersheds identified
18 by the water resources coordinating council established
19 pursuant to section 466B.3.

20 b. The moneys appropriated in subsection 1 shall be used to
21 support projects in watersheds generally, including regional
22 watersheds, as designated by the division and high-priority
23 watersheds identified by the water resources coordinating
24 council established pursuant to section 466B.3.

25 3. In supporting projects in subwatersheds and watersheds
26 as provided in subsection 2, all of the following shall apply:

27 a. The demonstration projects shall utilize water quality
28 practices as described in the Iowa nutrient reduction strategy
29 as defined in section 455B.171.

30 b. The division shall implement demonstration projects as
31 provided in paragraph “a” by providing for participation by
32 persons who hold a legal interest in agricultural land used in
33 farming. To every extent practical, the division shall provide
34 for collaborative participation by such persons who hold a
35 legal interest in agricultural land located within the same

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1 subwatershed.

2 c. The division shall implement a demonstration project on
3 a cost-share basis as determined by the division. However,
4 except for edge-of-field practices, the state’s share of the
5 amount shall not exceed 50 percent of the estimated cost of
6 establishing the practice as determined by the division or
7 50 percent of the actual cost of establishing the practice,
8 whichever is less.

9 d. The demonstration projects shall be used to educate other
10 persons about the feasibility and value of establishing similar
11 water quality practices. The division shall promote field day
12 events for purposes of allowing interested persons to establish

13 water quality practices on their agricultural land.
14 e. The division shall conduct water quality evaluations
15 within supported subwatersheds. Within a reasonable period
16 after accumulating information from such evaluations, the
17 division shall create an aggregated database of water quality
18 practices. Any information identifying a person holding a
19 legal interest in agricultural land or specific agricultural
20 land shall be a confidential record under section 22.7.
21 4. The moneys appropriated in subsection 1 shall be used
22 to support education and outreach in a manner that encourages
23 persons who hold a legal interest in agricultural land used for
24 farming to implement water quality practices, including the
25 establishment of such practices in watersheds generally, and
26 not limited to subwatersheds or high-priority watersheds.
27 5. The moneys appropriated in subsection 1 may be used
28 to contract with persons to coordinate the implementation of
29 efforts provided in this section.
30 6. The moneys appropriated in subsection 1 may be used by
31 the department to support urban soil and water conservation
32 efforts, which may include but are not limited to management
33 practices related to bioretention, landscaping, the use of
34 permeable or pervious pavement, and soil quality restoration.
35 The moneys shall be allocated on a cost-share basis as provided

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1 in chapter 161A.
2 7. Notwithstanding any other provision of law to the
3 contrary, the department may use moneys appropriated in
4 subsection 1 to carry out the provisions of this section on a
5 cost-share basis in combination with other moneys available to
6 the department from a state or federal source.
7 8. Not more than 10 percent of the moneys appropriated in
8 this section may be used to pay for the costs of administering
9 and implementing the water quality initiative by the
10 department's division of soil conservation and water quality as
11 provided in section 466B.42 and this section.

12 DIVISION III
13 GENERAL FUND

14 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
15 WATER QUALITY INITIATIVE

16 Sec. 13. WATER QUALITY INITIATIVE — GENERAL.

17 1. There is appropriated from the general fund of the state
18 to the department of agriculture and land stewardship for the
19 fiscal year beginning July 1, 2019, and ending June 30, 2020,
20 the following amount, or so much thereof as is necessary, to be
21 used for the purposes designated:

22 For deposit in the water quality initiative fund created in
23 section 466B.45, for purposes of supporting the water quality
24 initiative administered by the division of soil conservation
25 and water quality as provided in section 466B.42, including
26 salaries, support, maintenance, and miscellaneous purposes:

27 \$ 3,000,000
28 2. a. The moneys appropriated in subsection 1 shall be
29 used to support projects in subwatersheds as designated by the
30 division that are part of high-priority watersheds identified
31 by the water resources coordinating council established
32 pursuant to section 466B.3.
33 b. The moneys appropriated in subsection 1 shall be used to
34 support projects in watersheds generally, including regional
35 watersheds, as designated by the division and high-priority

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1 watersheds identified by the water resources coordinating
2 council established pursuant to section 466B.3.
3 3. In supporting projects in subwatersheds and watersheds
4 as provided in subsection 2, all of the following shall apply:
5 a. The demonstration projects shall utilize water quality
6 practices as described in the Iowa nutrient reduction strategy
7 as defined in section 455B.171.
8 b. The division shall implement demonstration projects as
9 provided in paragraph "a" by providing for participation by
10 persons who hold a legal interest in agricultural land used in
11 farming. To every extent practical, the division shall provide
12 for collaborative participation by such persons who hold a
13 legal interest in agricultural land located within the same
14 subwatershed.
15 c. The division shall implement a demonstration project on
16 a cost-share basis as determined by the division. However,
17 except for edge-of-field practices, the state's share of the
18 amount shall not exceed 50 percent of the estimated cost of
19 establishing the practice as determined by the division or
20 50 percent of the actual cost of establishing the practice,
21 whichever is less.
22 d. The demonstration projects shall be used to educate other
23 persons about the feasibility and value of establishing similar
24 water quality practices. The division shall promote field day
25 events for purposes of allowing interested persons to establish
26 water quality practices on their agricultural land.
27 e. The division shall conduct water quality evaluations
28 within supported subwatersheds. Within a reasonable period
29 after accumulating information from such evaluations, the
30 division shall create an aggregated database of water quality
31 practices. Any information identifying a person holding a
32 legal interest in agricultural land or specific agricultural
33 land shall be a confidential record under section 22.7.
34 4. The moneys appropriated in subsection 1 shall be used
35 to support education and outreach in a manner that encourages

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1 persons who hold a legal interest in agricultural land used for
2 farming to implement water quality practices, including the

3 establishment of such practices in watersheds generally, and
4 not limited to subwatersheds or high-priority watersheds.

5 5. The moneys appropriated in subsection 1 may be used
6 to contract with persons to coordinate the implementation of
7 efforts provided in this section.

8 6. The moneys appropriated in subsection 1 may be used by
9 the department to support urban soil and water conservation
10 efforts, which may include but are not limited to management
11 practices related to bioretention, landscaping, the use of
12 permeable or pervious pavement, and soil quality restoration.
13 The moneys shall be allocated on a cost-share basis as provided
14 in chapter 161A.

15 7. Notwithstanding any other provision of law to the
16 contrary, the department may use moneys appropriated in
17 subsection 1 to carry out the provisions of this section on a
18 cost-share basis in combination with other moneys available to
19 the department from a state or federal source.

20 8. Not more than 10 percent of the moneys appropriated in
21 this section may be used to pay for the costs of administering
22 and implementing the water quality initiative by the
23 department's division of soil conservation and water quality as
24 provided in section 466B.42 and this section.

25 DIVISION IV

26 DEPARTMENT OF NATURAL RESOURCES

27 Sec. 14. GENERAL FUND — DEPARTMENT.

28 1. There is appropriated from the general fund of the state
29 to the department of natural resources for the fiscal year
30 beginning July 1, 2019, and ending June 30, 2020, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 For purposes of supporting the department, including its
34 divisions, for administration, regulation, and programs; for
35 salaries, support, maintenance, and miscellaneous purposes; and

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| | | |
|---|---|---------------|
| 1 | for not more than the following full-time equivalent positions: | |
| 2 | | \$ 11,920,987 |
| 3 | FTEs | 1,145.95 |

4 2. Of the number of full-time equivalent positions
5 authorized to the department pursuant to subsection 1, 50.00
6 full-time equivalent positions shall be allocated by the
7 department for seasonal employees for purposes of providing
8 maintenance, upkeep, and sanitary services at state parks.
9 This subsection shall not impact park ranger or park manager
10 positions within the department.

11 3. The department shall submit a report each quarter of the
12 fiscal year to the legislative services agency, the department
13 of management, the members of the joint appropriations
14 subcommittee on agriculture and natural resources, and the
15 chairpersons and ranking members of the senate and house
16 committees on appropriations. The report shall describe in

17 detail the expenditure of moneys appropriated under this
 18 section to support the department's administration, regulation,
 19 and programs.

20 Sec. 15. STATE FISH AND GAME PROTECTION FUND — REGULATION
 21 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

22 1. There is appropriated from the state fish and game
 23 protection fund created pursuant to section 456A.17 to the
 24 department of natural resources for the fiscal year beginning
 25 July 1, 2019, and ending June 30, 2020, the following amount,
 26 or so much thereof as is necessary, to be used for the purposes
 27 designated:

28 For purposes of supporting the regulation or advancement of
 29 hunting, fishing, or trapping, or the protection, propagation,
 30 restoration, management, or harvest of fish or wildlife,
 31 including for administration, regulation, law enforcement, and
 32 programs; and for salaries, support, maintenance, equipment,
 33 and miscellaneous purposes:

34 \$ 44,007,044
 35 2. Notwithstanding section 455A.10, the department may use

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1 the unappropriated balance remaining in the state fish and game
 2 protection fund to provide for the funding of health and life
 3 insurance premium payments from unused sick leave balances of
 4 conservation peace officers employed in a protection occupation
 5 who retire, pursuant to section 97B.49B.

6 3. Notwithstanding section 455A.10, the department of
 7 natural resources may use the unappropriated balance remaining
 8 in the state fish and game protection fund for the fiscal
 9 year beginning July 1, 2019, and ending June 30, 2020, as is
 10 necessary to fund salary adjustments for departmental employees
 11 for which the general assembly has made an operating budget
 12 appropriation in subsection 1.

13 Sec. 16. GROUNDWATER PROTECTION FUND — WATER
 14 QUALITY. There is appropriated from the groundwater protection
 15 fund created in section 455E.11 to the department of natural
 16 resources for the fiscal year beginning July 1, 2019,
 17 and ending June 30, 2020, from those moneys which are not
 18 allocated pursuant to that section, the following amount, or
 19 so much thereof as is necessary, to be used for the purposes
 20 designated:

21 For purposes of supporting the department's protection
 22 of the state's groundwater, including for administration,
 23 regulation, and programs, and for salaries, support,
 24 maintenance, equipment, and miscellaneous purposes:

25 \$ 3,455,832

26 DESIGNATED APPROPRIATIONS

27 MISCELLANEOUS FUNDS

28 Sec. 17. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
 29 PROGRAM. There is appropriated from the special snowmobile
 30 fund created under section 321G.7 to the department of natural

31 resources for the fiscal year beginning July 1, 2019, and
32 ending June 30, 2020, the following amount, or so much thereof
33 as is necessary, to be used for the purpose designated:
34 For purposes of administering and enforcing the state
35 snowmobile programs:

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1 \$ 100,000
2 Sec. 18. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
3 TANKS SECTION EXPENSES. There is appropriated from the
4 unassigned revenue fund administered by the Iowa comprehensive
5 petroleum underground storage tank fund board established
6 pursuant to section 455G.4 to the department of natural
7 resources for the fiscal year beginning July 1, 2019, and
8 ending June 30, 2020, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:
10 For purposes of paying for administration expenses of the
11 department's underground storage tanks section:
12 \$ 200,000

13 SPECIAL APPROPRIATIONS

14 GENERAL FUND

15 Sec. 19. FLOODPLAIN MANAGEMENT AND DAM SAFETY.
16 1. There is appropriated from the general fund of the state
17 to the department of natural resources for the fiscal year
18 beginning July 1, 2019, and ending June 30, 2020, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purpose designated:
21 For purposes of supporting floodplain management and dam
22 safety:
23 \$ 1,510,000

24 2. Of the amount appropriated in subsection 1, up to
25 \$400,000 may be used by the department to acquire or install
26 stream gages for purposes of tracking and predicting flood
27 events and for compiling necessary data to improve flood
28 frequency analysis.

29 3. Notwithstanding section 8.33, moneys appropriated in
30 subsection 1 that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.

34 Sec. 20. FORESTRY HEALTH MANAGEMENT.

35 1. There is appropriated from the general fund of the state

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1 to the department of natural resources for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purposes designated:
5 For purposes of providing for forestry health management
6 programs:

7 \$ 500,000

8 2. Notwithstanding section 8.33, moneys appropriated in
9 this section that remain unencumbered or unobligated at the
10 close of the fiscal year shall not revert but shall remain
11 available to be used for the purposes designated until the
12 close of the succeeding fiscal year.

13 DIVISION V

14 IOWA STATE UNIVERSITY

15 SPECIAL GENERAL FUND APPROPRIATION

16 VETERINARY DIAGNOSTIC LABORATORY

17 Sec. 21. VETERINARY DIAGNOSTIC LABORATORY.

18 1. There is appropriated from the general fund of the state
19 to Iowa state university of science and technology for the
20 fiscal year beginning July 1, 2019, and ending June 30, 2020,
21 the following amount, or so much thereof as is necessary, to be
22 used for the purposes designated:

23 For purposes of supporting the college of veterinary
24 medicine for the operation of the veterinary diagnostic
25 laboratory and for not more than the following full-time
26 equivalent positions:

| | | |
|----------|------|-----------|
| 27 | \$ | 4,400,000 |
| 28 | FTEs | 51.00 |

29 2. a. Iowa state university of science and technology
30 shall not reduce the amount that it allocates to support the
31 college of veterinary medicine from any other source due to the
32 appropriation made in this section.

33 b. Paragraph "a" does not apply to a reduction made to
34 support the college of veterinary medicine, if the same
35 percentage of reduction imposed on the college of veterinary

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1 medicine is also imposed on all of Iowa state university of
2 science and technology's budget units.

3 3. If by June 30, 2020, Iowa state university of science and
4 technology fails to allocate the moneys appropriated in this
5 section to the college of veterinary medicine in accordance
6 with this section, the moneys appropriated in this section for
7 that fiscal year shall revert to the general fund of the state.

8 DIVISION VI

9 STATE UNIVERSITY OF IOWA

10 SPECIAL GENERAL FUND APPROPRIATION

11 AGRICULTURAL SAFETY AND HEALTH

12 Sec. 22. IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH 13 (I-CASH).

14 1. There is appropriated from the general fund of the state
15 to the state university of Iowa for the fiscal year beginning
16 July 1, 2019, and ending June 30, 2020, the following amount,
17 or so much thereof as is necessary, to be used for the purposes
18 designated:

19 For supporting the operations of Iowa's center for
20 agricultural safety and health, as part of the university's

21 college of public health, and in cooperation with the
22 department of agriculture and land stewardship, to anticipate,
23 recognize, and prevent occupational illness and injury among
24 members of the agricultural community:
25 \$ 130,000
26 2. As a condition of the appropriation in subsection 1,
27 the state university of Iowa shall retain the director of
28 Iowa's center for agricultural safety and health employed on
29 the effective date of this Act for at least the same number of
30 hours for the fiscal year beginning July 1, 2019, as worked by
31 the director during the fiscal year beginning July 1, 2018.
32 3. The state university of Iowa shall not reduce the amount
33 allocated to support Iowa's center for agricultural safety from
34 any other source due to the appropriation made in this division
35 of this Act.

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1 4. If by June 30, 2020, the state university of Iowa fails
2 to use the moneys appropriated in subsection 1 in accordance
3 with purposes and conditions of this section, any unencumbered
4 and unobligated moneys appropriated in subsection 1 for the
5 fiscal year beginning July 1, 2019, and ending June 30, 2020,
6 shall revert to the general fund of the state. In addition, if
7 moneys are required to be reverted pursuant to section 8.33,
8 the state university of Iowa shall transfer to the general
9 fund from any otherwise unencumbered and unobligated moneys
10 from any other general fund appropriation or from any moneys
11 available from other funding sources an amount equal to the
12 amount appropriated in subsection 1 less any amount reverted to
13 the general fund of the state pursuant to this subsection.

14 DIVISION VII
15 ENVIRONMENT FIRST FUND
16 GENERAL APPROPRIATIONS
17 Sec. 23. DEPARTMENT OF AGRICULTURE AND LAND
18 STEWARDSHIP. There is appropriated from the environment first
19 fund created in section 8.57A to the department of agriculture
20 and land stewardship for the fiscal year beginning July 1,
21 2019, and ending June 30, 2020, the following amounts, or so
22 much thereof as is necessary, to be used for the purposes
23 designated:

24 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
25 a. For the conservation reserve enhancement program to
26 restore and construct wetlands for the purposes of intercepting
27 tile line runoff, reducing nutrient loss, improving water
28 quality, and enhancing agricultural production practices:
29 \$ 1,000,000
30 b. Not more than 10 percent of the moneys appropriated
31 in paragraph "a" may be used for costs of administration and
32 implementation of soil and water conservation practices.
33 c. Notwithstanding any other provision in law, the
34 department may use moneys appropriated in this subsection,

35 in combination with other appropriate environment first

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1 fund appropriations, for cost sharing to match United States
 2 department of agriculture, natural resources conservation
 3 service, wetlands reserve enhancement program (WREP) funding
 4 available to Iowa.
 5 2. WATERSHED PROTECTION
 6 a. For continuation of a program that provides
 7 multiobjective resource protections for flood control, water
 8 quality, erosion control, and natural resource conservation:
 9 \$ 900,000
 10 b. Not more than 10 percent of the moneys appropriated
 11 in paragraph “a” may be used for costs of administration and
 12 implementation of soil and water conservation practices.
 13 3. SOIL AND WATER CONSERVATION — ADMINISTRATION
 14 a. For use by the department for costs of administration and
 15 implementation of soil and water conservation practices:
 16 \$ 3,800,000
 17 b. Of the moneys appropriated in paragraph “a”, \$150,000
 18 is allocated to support field staff providing technical
 19 assistance.
 20 4. CONSERVATION RESERVE PROGRAM (CRP)
 21 a. To encourage and assist farmers in enrolling in and the
 22 implementation of the federal conservation reserve program and
 23 to work with them to enhance their revegetation efforts to
 24 improve water quality and habitat:
 25 \$ 900,000
 26 b. Not more than 10 percent of the moneys appropriated
 27 in paragraph “a” may be used for costs of administration and
 28 implementation of soil and water conservation practices.
 29 5. SOIL AND WATER CONSERVATION
 30 a. For use by the department in providing for soil and water
 31 conservation:
 32 \$ 8,325,000
 33 b. (1) Of the amount appropriated in paragraph “a”, for
 34 transfer to the loess hills development and conservation fund
 35 created in section 161D.2:

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1 \$ 490,000
 2 (2) (a) Of the amount transferred to the loess hills
 3 development and conservation fund in subparagraph (1), \$450,000
 4 shall be allocated to the fund’s hungry canyons account.
 5 (b) Not more than 10 percent of the moneys allocated to
 6 the fund’s hungry canyons account as provided in subparagraph
 7 division (a) may be used for administrative costs.
 8 (3) (a) Of the amount transferred to the loess hills
 9 development and conservation fund in subparagraph (1), \$40,000
 10 shall be allocated to the fund’s loess hills alliance account.

11 (b) Not more than 10 percent of the moneys allocated to the
12 fund's loess hills alliance account as provided in subparagraph
13 division (a) may be used for administrative costs.

14 c. Of the remaining amount appropriated in paragraph "a",
15 for use by the department in providing for soil and water
16 conservation administration, the conservation of soil and
17 water resources, or the support of soil and water conservation
18 districts:

19 \$ 7,835,000

20 d. Of the amount appropriated in paragraph "c" that the
21 department allocates to a soil and water conservation district,
22 the first \$15,000 may be expended by the district for the
23 purpose of providing financial incentives under section 161A.73
24 to establish management practices for the control of soil
25 erosion on land that is row-cropped, including but not limited
26 to nontill planting, ridge-till planting, and contouring
27 strip-cropping. Of any remaining amount of that appropriation
28 allocated by the department to a district, 30 percent may be
29 expended by the district for that same purpose.

30 e. Not more than 5 percent of the moneys appropriated in
31 paragraph "c" may be allocated for cost sharing to address
32 complaints filed under section 161A.47.

33 f. Of the moneys appropriated in paragraph "c", 5 percent
34 shall be allocated for financial incentives to establish
35 practices to protect watersheds above publicly owned lakes of

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1 the state from soil erosion and sediment as provided in section
2 161A.73.

3 g. The state soil conservation and water quality committee
4 established by section 161A.4 may allocate moneys appropriated
5 in paragraph "c" to conduct research and demonstration projects
6 to promote conservation tillage and nonpoint source pollution
7 control practices.

8 h. The allocation of moneys as financial incentives as
9 provided in section 161A.73 may be used in combination with
10 moneys allocated by the department of natural resources.

11 i. Not more than 15 percent of the moneys appropriated
12 in paragraph "c" may be used for costs of administration and
13 implementation of soil and water conservation practices.

14 Sec. 24. DEPARTMENT OF NATURAL RESOURCES. There is
15 appropriated from the environment first fund created in section
16 8.57A to the department of natural resources for the fiscal
17 year beginning July 1, 2019, and ending June 30, 2020, the
18 following amounts, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 1. STATE PARKS MAINTENANCE AND OPERATIONS

21 a. For regular maintenance and operations of state parks and
22 staff time associated with these activities:

23 \$ 6,235,000

24 b. Of the amount appropriated in paragraph "a", up to

25 \$100,000 shall be allocated for statewide coordination of
 26 volunteer efforts.
 27 c. Of the amount appropriated in paragraph “a”, the
 28 department shall use \$250,000 to support up to 3.00 full-time
 29 equivalent positions as state park rangers.
 30 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)
 31 To provide local watershed managers with geographic
 32 information system data for their use in developing,
 33 monitoring, and displaying results of their watershed work:
 34 \$ 195,000
 35 3. WATER QUALITY MONITORING

Page 21

1 For continuing the establishment and operation of water
 2 quality monitoring stations:
 3 \$ 2,955,000
 4 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
 5 For deposit in the public water supply system account of the
 6 water quality protection fund created in section 455B.183A:
 7 \$ 500,000
 8 5. REGULATION OF ANIMAL FEEDING OPERATIONS
 9 For the regulation of animal feeding operations, including
 10 as provided for in chapters 459, 459A, and 459B:
 11 \$ 1,320,000
 12 6. AMBIENT AIR QUALITY
 13 For the abatement, control, and prevention of ambient
 14 air pollution in this state, including measures as necessary
 15 to assure attainment and maintenance of ambient air quality
 16 standards from particulate matter:
 17 \$ 425,000
 18 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY
 19 For supporting floodplain management and dam safety:
 20 \$ 375,000
 21 Sec. 25. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL
 22 SURVEY. There is appropriated from the environment first
 23 fund created in section 8.57A to the state university of Iowa
 24 for the fiscal year beginning July 1, 2019, and ending June
 25 30, 2020, the following amounts, or so much thereof as is
 26 necessary, to be used for the purposes designated:
 27 1. OPERATIONS
 28 For purposes of supporting the operations of the Iowa
 29 geological survey of the state as created within the state
 30 university of Iowa pursuant to section 456.1, including but not
 31 limited to providing analysis; data maintenance, collection,
 32 and compilation; investigative programs; and information for
 33 water supply development and protection:
 34 \$ 200,000
 35 2. WATER RESOURCE MANAGEMENT

Page 22

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For purposes of supporting the Iowa geological survey in measuring, assessing, and evaluating the quantity of water sources in this state and assisting the department of natural resources in regulating water quantity as provided in chapter 455B, division III, part 4, pursuant to sections 455B.262B and 456.14:

..... \$ 495,000

Sec. 26. REVERSION.

1. a. Except as provided in paragraph “b”, and notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2019, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but instead shall remain available to be used for the purposes designated until the close of the succeeding fiscal year, or until the project for which the appropriation was made is completed, whichever is earlier.

b. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2019, in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the establishment of permanent soil and water conservation practices that remain unencumbered or unobligated at the close of the fiscal year shall not revert but instead shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2022.

2. Subsection 1 does not apply to moneys transferred pursuant to this division to the loess hills development and conservation fund created in section 161D.2 which shall not revert as provided in that section.

DIVISION VIII
ENVIRONMENT FIRST FUND
SPECIAL APPROPRIATIONS

Sec. 27. WATER QUALITY INITIATIVE — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.
1. There is appropriated from the environment first fund

Page 23

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created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, for purposes of supporting the water quality initiative administered by the division of soil conservation and water quality as provided in section 466B.42, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 2,375,000

2. a. The moneys appropriated in subsection 1 shall be

13 used to support projects in subwatersheds as designated by the
14 division that are part of high-priority watersheds identified
15 by the water resources coordinating council established
16 pursuant to section 466B.3.

17 b. The moneys appropriated in subsection 1 shall be used to
18 support projects in watersheds generally, including regional
19 watersheds, as designated by the division and high-priority
20 watersheds identified by the water resources coordinating
21 council established pursuant to section 466B.3.

22 3. In supporting projects in subwatersheds and watersheds
23 as provided in subsection 2, all of the following shall apply:

24 a. The demonstration projects shall utilize water quality
25 practices as described in the Iowa nutrient reduction strategy
26 as defined in section 455B.171.

27 b. The division shall implement demonstration projects as
28 provided in paragraph "a" by providing for participation by
29 persons who hold a legal interest in agricultural land used in
30 farming. To every extent practical, the division shall provide
31 for collaborative participation by such persons who hold a
32 legal interest in agricultural land located within the same
33 subwatershed.

34 c. The division shall implement a demonstration project on
35 a cost-share basis as determined by the division. However,

Page 24

1 except for edge-of-field practices, the state's share of the
2 amount shall not exceed 50 percent of the estimated cost of
3 establishing the practice as determined by the division or
4 50 percent of the actual cost of establishing the practice,
5 whichever is less.

6 d. The demonstration projects shall be used to educate other
7 persons about the feasibility and value of establishing similar
8 water quality practices. The division shall promote field day
9 events for purposes of allowing interested persons to establish
10 water quality practices on their agricultural land.

11 e. The division shall conduct water quality evaluations
12 within supported subwatersheds. Within a reasonable period
13 after accumulating information from such evaluations, the
14 division shall create an aggregated database of water quality
15 practices. Any information identifying a person holding a
16 legal interest in agricultural land or specific agricultural
17 land shall be a confidential record under section 22.7.

18 4. The moneys appropriated in subsection 1 shall be used
19 to support education and outreach in a manner that encourages
20 persons who hold a legal interest in agricultural land used for
21 farming to implement water quality practices, including the
22 establishment of such practices in watersheds generally, and
23 not limited to subwatersheds or high-priority watersheds.

24 5. The moneys appropriated in subsection 1 may be used
25 to contract with persons to coordinate the implementation of
26 efforts provided in this section.

27 6. The moneys appropriated in subsection 1 may be used by
28 the department to support urban soil and water conservation
29 efforts, which may include but are not limited to management
30 practices related to bioretention, landscaping, the use of
31 permeable or pervious pavement, and soil quality restoration.
32 The moneys shall be allocated on a cost-share basis as provided
33 in chapter 161A.
34 7. Notwithstanding any other provision of law to the
35 contrary, the department may use moneys appropriated in

Page 25

1 subsection 1 to carry out the provisions of this section on a
2 cost-share basis in combination with other moneys available to
3 the department from a state or federal source.
4 8. Not more than 10 percent of the moneys appropriated in
5 this section may be used to pay for the costs of administering
6 and implementing the water quality initiative by the
7 department's division of soil conservation and water quality as
8 provided in section 466B.42 and this section.

9 DIVISION IX

10 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND
11 Sec. 28. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
12 lieu of the standing appropriation in section 455A.18, there is
13 appropriated from the environment first fund created in section
14 8.57A to the Iowa resources enhancement and protection fund
15 for the fiscal year beginning July 1, 2019, and ending June
16 30, 2020, the following amount, to be allocated as provided in
17 section 455A.19:

18 \$ 12,000,000

19 Sec. 29. REAP — OPEN SPACES ACCOUNT — STATE PARK
20 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
21 subsection 1, paragraph “a”, subparagraph (1), of the moneys
22 allocated to the open spaces account of the Iowa resources
23 enhancement and protection fund, up to \$1,000,000 may be
24 used by the department of natural resources for state park
25 maintenance and repair for the fiscal year beginning July 1,
26 2019, and ending on June 30, 2020.

27 Sec. 30. REAP — OPEN SPACES ACCOUNT — FLOOD DAMAGE REPAIR,
28 RESTORATION, OR REHABILITATION.

29 1. Notwithstanding section 455A.19, subsection 1, paragraph
30 “a”, subparagraph (1), of the moneys allocated to the open
31 spaces account of the Iowa resources enhancement and protection
32 fund, any amount in that account that is unencumbered and
33 unobligated on the effective date of this section, are
34 appropriated to the department of natural resources for the
35 repair, restoration, or rehabilitation of property under the

Page 26

1 jurisdiction or control of the department, including such
2 property located in southwestern Iowa, that has been damaged

3 by flood waters, for the fiscal year beginning July 1, 2018,
4 and ending June 30, 2019.

5 2. Nothing in this section requires the department to expend
6 any or a certain amount of moneys appropriated in subsection 1
7 for the purposes described in that subsection.

8 3. Notwithstanding section 8.33, moneys appropriated in
9 this section that remain unencumbered or unobligated at the
10 close of the fiscal year beginning July 1, 2018, and ending
11 June 30, 2019, shall not revert but shall remain available for
12 expenditure for the purposes designated until the close of the
13 succeeding fiscal year.

14 Sec. 31. EFFECTIVE DATE. The following, being deemed of
15 immediate importance, takes effect upon enactment:

16 The section of this division of this Act appropriating
17 moneys to the department of natural resources from moneys
18 allocated to the open spaces account of the Iowa resources
19 enhancement and protection fund for purposes of the repair,
20 restoration, or rehabilitation of property under the
21 jurisdiction or control of the department, for the fiscal year
22 beginning July 1, 2018, and ending June 30, 2019.

23 DIVISION X

24 RELATED CODE CHANGES — DEPARTMENT OF AGRICULTURE AND LAND
25 STEWARDSHIP — PROGRAMS TO AUDIT MOTOR FUEL

26 Sec. 32. NEW SECTION. 214A.2C Auditing programs.

27 The department shall establish and administer programs
28 for the auditing of motor fuel including biofuel processing
29 and production plants, for screening and testing motor fuel,
30 including renewable fuel, and for the inspection of motor fuel
31 sold by dealers, including retail dealers who sell and dispense
32 motor fuel from motor fuel pumps.

33 DIVISION XI

34 RELATED CODE CHANGES — STATE UNIVERSITY OF IOWA — IOWA
35 GEOLOGICAL SURVEY

Page 27

1 Sec. 33. Section 352.4, subsection 4, Code 2019, is amended
2 to read as follows:

3 4. The ~~state~~ department of agriculture and land
4 stewardship, department of management, department of natural
5 resources, Iowa geological survey, state agricultural extension
6 service, and the economic development authority shall, upon
7 request, provide to each county commission any pertinent land
8 use information available to assist in the compiling of the
9 county land use inventories.

10 Sec. 34. Section 456.1, Code 2019, is amended to read as
11 follows:

12 ~~456.1 Geological~~ Iowa geological survey created.

13 ~~A~~ An Iowa geological survey of the state is created within
14 the state university of Iowa, under the jurisdiction and
15 authority of the state board of regents.

16 Sec. 35. Section 456.10, Code 2019, is amended to read as

17 follows:

18 **456.10 Distribution of reports.**

19 All publications of the Iowa geological survey shall be made
20 available electronically via an internet site maintained for
21 that purpose.

22 Sec. 36. Section 456.13, Code 2019, is amended to read as
23 follows:

24 **456.13 Maps property of state — custody — copies.**

25 The maps so delivered to the state geologist shall be the
26 property of the state and shall remain in the custody of the
27 state geologist. They shall be kept at the office of the Iowa
28 geological survey and be open to examination by all persons
29 interested in the maps; but such examination shall only be made
30 in the presence of the state geologist or a designee, and the
31 state geologist shall not permit any copies of the maps to be
32 made without the written consent of the operator or the owner
33 of the property, except as provided in section 456.11 or if the
34 mine has been abandoned for at least five years.

35 DIVISION XII

Page 28

1 RELATED CODE CHANGES — FUTURE REPEAL OF MERCURY THERMOSTAT
2 REGULATION

3 Sec. 37. Section 455D.16, Code 2019, is amended to read as
4 follows:

5 **455D.16 Mercury — thermostats.**

6 1. As used in this section, unless the context otherwise
7 requires:

8 a. (1) “Manufacturer” means any person, firm, association,
9 partnership, corporation, governmental entity, organization,
10 combination, or joint venture that owns or owned the brand name
11 of the thermostat.

12 (2) This paragraph “a” is repealed on January 1, 2022.

13 b. “Mercury-added thermostat” means a product or device
14 that uses a mercury switch to sense and control room
15 temperature through communication with heating, ventilating,
16 or air-conditioning equipment. “Mercury-added thermostat”
17 includes thermostats used to sense and control room temperature
18 in residential, commercial, industrial, and other buildings
19 but does not include thermostats used to sense and control
20 temperature as part of a manufacturing process.

21 c. (1) “Thermostat retailer” means a person who sells
22 thermostats of any kind directly to homeowners or other
23 nonprofessionals through any selling or distribution mechanism,
24 including but not limited to sales using the internet or
25 catalogues. A thermostat retailer may also be a thermostat
26 wholesaler if it meets the definition of thermostat wholesaler.

27 (2) This paragraph “c” is repealed on January 1, 2022.

28 d. (1) “Thermostat wholesaler” means a person who is
29 engaged in the distribution and wholesale selling of large
30 quantities of heating, ventilation, and air-conditioning

31 components, including thermostats, to contractors who install
32 heating, ventilation, and air-conditioning components,
33 including thermostats.

34 ~~(2) This paragraph "d" is repealed on January 1, 2022.~~

35 ~~2. Beginning July 1, 2009, a~~ A person shall not sell, offer

Page 29

1 for sale, or install a mercury-added thermostat in this state.
2 ~~3. Beginning April 1, 2009, except~~ Except as otherwise
3 provided, a person who generates a discarded mercury-added
4 thermostat shall manage the mercury-added thermostat as a
5 hazardous waste or universal hazardous waste, according to all
6 applicable state and federal regulations. A contractor who
7 replaces or removes mercury-added thermostats shall assure that
8 any discarded mercury-added thermostat is subject to proper
9 separation and management as hazardous waste or universal
10 hazardous waste. A contractor who replaces a mercury-added
11 thermostat in a residence shall deliver the mercury-added
12 thermostat to an appropriate collection location for recycling.

13 ~~4. a.~~ Each thermostat manufacturer that has offered for
14 final sale, sold at final sale, or distributed mercury-added
15 thermostats in the state shall individually, or in conjunction
16 with other thermostat manufacturers, do all of the following:
17 ~~a. (1)~~ Not later than October 1, 2008, submit a plan to
18 the department for approval describing a collection program for
19 mercury-added thermostats. The program contained in the plan
20 shall ensure that all the following take place:

21 ~~(1) (a)~~ That an education and outreach program is
22 developed. The program shall be directed toward thermostat
23 wholesalers, thermostat retailers, contractors, and homeowners
24 and ensure a maximum rate of collection of mercury-added
25 thermostats. There shall not be a cost to thermostat
26 wholesalers or thermostat retailers for education and outreach
27 materials.

28 ~~(2) (b)~~ That handling and recycling of mercury-added
29 thermostats are accomplished in a manner that is consistent
30 with the provisions of the universal waste rules.

31 ~~(3) (c)~~ That containers for mercury-added thermostat
32 collection are provided to all thermostat wholesalers. The
33 cost to thermostat wholesalers for such containers shall be
34 limited to an initial, reasonable, one-time fee per container
35 as specified in the plan.

Page 30

1 ~~(4) (d)~~ That collection points will be established to serve
2 homeowners. The collection points shall include but are not
3 limited to regional collection centers permitted under 567 IAC
4 ch. 123. Collection points may include but are not limited to
5 thermostat retailers.

6 ~~(5) (e)~~ That collection systems are provided to all

7 collection points. Collection systems may include individual
8 product mail back or multiple collection containers. The costs
9 of collection shall not be passed on to a collection point.
10 The costs to a collection point shall be limited to an initial,
11 reasonable, one-time fee per container as specified in the
12 plan.
13 ~~b. (2) Not later than April 1, 2009, implement~~ Implement
14 a mercury-added thermostat collection plan approved by the
15 department.
16 ~~e. (3)~~ (3) Beginning in 2010, submit an annual report to the
17 department by April 1 of each year that includes, at a minimum,
18 all of the following:
19 ~~(4) (a)~~ (a) The number of mercury-added thermostats collected
20 and recycled by that manufacturer during the previous calendar
21 year.
22 ~~(2) (b)~~ (b) The estimated total amount of mercury contained in
23 the thermostat components collected by that manufacturer during
24 the previous calendar year.
25 ~~(3) (c)~~ (c) A list of all participating thermostat wholesalers
26 and all collection points for homeowners.
27 ~~(4) (d)~~ (d) An evaluation of the effectiveness of the
28 manufacturer's collection program.
29 ~~(5) (e)~~ (e) An accounting of the administrative costs incurred
30 in the course of administering the collection and recycling
31 program.
32 b. This subsection is repealed on January 1, 2022.
33 5. ~~a. (1) By April 1, 2009, a~~ A thermostat wholesaler
34 shall do ~~both~~ all of the following:
35 ~~(1) (a)~~ (a) Act as a collection site for mercury-added

Page 31

1 thermostats.
2 ~~(2) (b)~~ (b) Promote and utilize the collection containers
3 provided by thermostat manufacturers to facilitate a contractor
4 collection program.
5 ~~b. (2) By April 1, 2009, a~~ A thermostat retailer shall
6 participate in an education and outreach program to educate
7 consumers on the collection program for mercury-added
8 thermostats.
9 b. This subsection is repealed on January 1, 2022.
10 6. a. Beginning April 1, 2009, all All of the following
11 sales prohibitions shall apply to thermostat manufacturers,
12 thermostat wholesalers, and thermostat retailers:
13 ~~e. (1)~~ (1) A thermostat manufacturer not in compliance with
14 this section is prohibited from offering any thermostat for
15 final sale in the state. A thermostat manufacturer not in
16 compliance with this section shall provide the necessary
17 support to thermostat wholesalers and thermostat retailers to
18 ensure the manufacturer's thermostats are not offered for final
19 sale.
20 ~~b. (2)~~ (2) A thermostat wholesaler or thermostat retailer shall

21 not offer for final sale any thermostat of a manufacturer that
22 is not in compliance with this section.
23 b. This subsection is repealed on January 1, 2022.
24 7. a. The department shall do all of the following:
25 ~~a.~~ (1) Review and grant approval of, deny, or approve with
26 modifications a manufacturer plan required under this section.
27 The department shall not approve a plan unless all elements of
28 subsection 4, paragraph “a”, subparagraph (1), are adequately
29 addressed and the program outlined in the plan will assure a
30 maximum rate of collection of mercury-added thermostats. In
31 reviewing a plan the department may consider consistency of
32 the plan with collection requirements in other states and
33 consider consistency between thermostat manufacturer collection
34 programs. In reviewing plans, the agency shall ensure that
35 education and outreach programs are uniform and consistent to

Page 32

1 ensure ease of implementation by thermostat wholesalers and
2 thermostat retailers.
3 ~~b.~~ (2) The department shall establish a process for
4 public review and comment on all plans submitted by thermostat
5 manufacturers prior to plan approval. The department shall
6 consult with interested persons, including representatives of
7 thermostat manufacturers, environmental groups, thermostat
8 wholesalers, thermostat retailers, contractors, and local
9 government.
10 b. This subsection is repealed on January 1, 2022.
11 8. a. The goal of the collection and recycling efforts
12 under this section is to collect and recycle as many
13 mercury-added thermostats as reasonably practicable. By
14 January 1, 2009, the department shall determine collection
15 goals for the program in consultation with interested persons,
16 including the national electrical manufacturers association
17 and representatives of thermostat manufacturers, thermostat
18 wholesalers, thermostat retailers, contractors, environmental
19 groups, and local government. If collection efforts fail to
20 meet the collection goals described in this subsection, the
21 department shall, in consultation with the national electrical
22 manufacturers association and other interested persons,
23 consider modifications to collection programs in an attempt to
24 improve collection rates in accordance with these goals.

25 b. This subsection is repealed on January 1, 2022.

26 DIVISION XIII

27 AGRICULTURAL DRAINAGE WELL CLOSURES

28 Sec. 38. Section 460.304, Code 2019, is amended by adding
29 the following new subsection:
30 NEW SUBSECTION. 4. A person is not eligible to participate
31 in the program for a project described in this section that

32 involves an agricultural drainage well that has not been
33 registered with the department of natural resources pursuant to
34 section 460.302 by January 1, 2019.>>

TOM SHIPLEY

S-3200

1 Amend House File 758, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

FY 2019–2020 APPROPRIATIONS

DEPARTMENT FOR THE BLIND

8 Section 1. ADMINISTRATION. There is appropriated from
9 the general fund of the state to the department for the blind
10 for the fiscal year beginning July 1, 2019, and ending June
11 30, 2020, the following amounts, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

| | | |
|----------|------|-----------|
| 16 | \$ | 2,247,499 |
| 17 | FTEs | 79.00 |

COLLEGE STUDENT AID COMMISSION

19 Sec. 2. There is appropriated from the general fund of the
20 state to the college student aid commission for the fiscal year
21 beginning July 1, 2019, and ending June 30, 2020, the following
22 amounts, or so much thereof as is necessary, to be used for the
23 purposes designated:

24 1. ADMINISTRATION

25 a. For general administration salaries, support,
26 maintenance, and miscellaneous purposes, and for not more than
27 the following full-time equivalent positions:

| | | |
|----------|------|---------|
| 28 | \$ | 429,279 |
| 29 | FTEs | 3.95 |

30 b. For the administration of the future ready Iowa skilled
31 workforce last-dollar scholarship program, including salaries,
32 support, maintenance, and miscellaneous purposes, and for not
33 more than the following full-time equivalent positions:

| | | |
|----------|------|---------|
| 34 | \$ | 130,254 |
| 35 | FTEs | 1.00 |

Page 2

1 2. HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM

2 For the loan repayment program for health care professionals
3 established pursuant to section 261.115:

| | | |
|---------|----|---------|
| 4 | \$ | 400,973 |
|---------|----|---------|

5 3. NATIONAL GUARD SERVICE SCHOLARSHIP PROGRAM

6 For purposes of providing national guard service scholarship

| | | |
|----|---|--------------|
| 7 | under the program established in section 261.86: | |
| 8 | ..... | \$ 4,700,000 |
| 9 | Moneys appropriated pursuant to this subsection may be | |
| 10 | distributed to a public university that purchased an Iowa | |
| 11 | for-profit accredited private institution effective March 22, | |
| 12 | 2018, whose students were eligible members of the national | |
| 13 | guard who received educational assistance under the national | |
| 14 | guard educational assistance program in the fiscal year | |
| 15 | beginning July 1, 2018, if the students continue to meet the | |
| 16 | requirements of section 261.86. | |
| 17 | 4. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM | |
| 18 | a. For purposes of the all Iowa opportunity scholarship | |
| 19 | program established pursuant to section 261.87: | |
| 20 | ..... | \$ 3,000,000 |
| 21 | b. For the fiscal year beginning July 1, 2019, if the moneys | |
| 22 | appropriated by the general assembly to the college student aid | |
| 23 | commission for purposes of the all Iowa opportunity scholarship | |
| 24 | program exceed \$500,000, "eligible institution" as defined in | |
| 25 | section 261.87 shall, during the fiscal year beginning July 1, | |
| 26 | 2019, include accredited private institutions as defined in | |
| 27 | section 261.9. | |
| 28 | 5. TEACH IOWA SCHOLAR PROGRAM | |
| 29 | For purposes of the teach Iowa scholar program established | |
| 30 | pursuant to section 261.110: | |
| 31 | ..... | \$ 400,000 |
| 32 | 6. RURAL IOWA PRIMARY CARE LOAN REPAYMENT PROGRAM | |
| 33 | For purposes of the rural Iowa primary care loan repayment | |
| 34 | program established pursuant to section 261.113: | |
| 35 | ..... | \$ 1,424,502 |

Page 3

| | | |
|----|---|---------------|
| 1 | 7. HEALTH CARE LOAN REPAYMENT PROGRAM | |
| 2 | For purposes of the health care loan repayment program | |
| 3 | established pursuant to section 261.116: | |
| 4 | ..... | \$ 250,000 |
| 5 | 8. FUTURE READY IOWA SKILLED WORKFORCE LAST-DOLLAR | |
| 6 | SCHOLARSHIP PROGRAM | |
| 7 | For deposit in the future ready Iowa skilled workforce | |
| 8 | last-dollar scholarship fund established pursuant to section | |
| 9 | 261.131, as enacted by 2018 Iowa Acts, chapter 1067, section | |
| 10 | 12, as amended by 2018 Iowa Acts, chapter 1172, section 24: | |
| 11 | ..... | \$ 13,004,744 |
| 12 | Sec. 3. CHIROPRACTIC LOAN FUNDS. Notwithstanding section | |
| 13 | 261.72, the moneys deposited in the chiropractic loan revolving | |
| 14 | fund created pursuant to section 261.72, for the fiscal year | |
| 15 | beginning July 1, 2019, and ending June 30, 2020, may be used | |
| 16 | for purposes of the chiropractic loan forgiveness program | |
| 17 | established in section 261.73. | |
| 18 | Sec. 4. WORK-STUDY APPROPRIATION. Notwithstanding section | |
| 19 | 261.85, for the fiscal year beginning July 1, 2019, and ending | |
| 20 | June 30, 2020, the amount appropriated from the general fund | |

21 of the state to the college student aid commission for the
22 work-study program under section 261.85 shall be zero.

23 DEPARTMENT OF EDUCATION

24 Sec. 5. There is appropriated from the general fund of
25 the state to the department of education for the fiscal year
26 beginning July 1, 2019, and ending June 30, 2020, the following
27 amounts, or so much thereof as is necessary, to be used for the
28 purposes designated:

29 1. GENERAL ADMINISTRATION

30 a. For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

| | | |
|----------|------|-----------|
| 33 | \$ | 5,949,047 |
| 34 | FTEs | 65.00 |

35 b. By January 15, 2020, the department shall submit

Page 4

1 a written report to the general assembly detailing the
2 department's antibullying programming and current and projected
3 expenditures for such programming for the fiscal year beginning
4 July 1, 2019.

5 2. CAREER AND TECHNICAL EDUCATION ADMINISTRATION

6 For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

| | | |
|----------|------|---------|
| 9 | \$ | 598,197 |
| 10 | FTEs | 9.82 |

11 3. VOCATIONAL REHABILITATION SERVICES DIVISION

12 a. For salaries, support, maintenance, and miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions:

| | | |
|----------|------|-----------|
| 15 | \$ | 5,677,908 |
| 16 | FTEs | 245.00 |

17 For purposes of optimizing the job placement of individuals
18 with disabilities, the division shall make its best efforts
19 to work with community rehabilitation program providers for
20 job placement and retention services for individuals with
21 significant disabilities and most significant disabilities. By
22 January 15, 2020, the division shall submit a written report to
23 the general assembly regarding the division's outreach efforts
24 with community rehabilitation program providers.

25 b. For matching moneys for programs to enable persons
26 with severe physical or mental disabilities to function more
27 independently, including salaries and support, and for not more
28 than the following full-time equivalent position:

| | | |
|----------|------|--------|
| 29 | \$ | 84,823 |
| 30 | FTEs | 1.00 |

31 c. For the entrepreneurs with disabilities program
32 established pursuant to section 259.4, subsection 9:

| | | |
|----------|----|---------|
| 33 | \$ | 138,506 |
|----------|----|---------|

34 d. For costs associated with centers for independent

35 living:

Page 5

| | | | |
|----|---|------|------------|
| 1 | ..... | \$ | 86,457 |
| 2 | 4. STATE LIBRARY | | |
| 3 | a. For salaries, support, maintenance, and miscellaneous | | |
| 4 | purposes, and for not more than the following full-time | | |
| 5 | equivalent positions: | | |
| 6 | ..... | \$ | 2,530,063 |
| 7 | ..... | FTEs | 29.00 |
| 8 | b. For the enrich Iowa program established under section | | |
| 9 | 256.57: | | |
| 10 | ..... | \$ | 2,464,823 |
| 11 | 5. PUBLIC BROADCASTING DIVISION | | |
| 12 | For salaries, support, maintenance, capital expenditures, | | |
| 13 | and miscellaneous purposes, and for not more than the following | | |
| 14 | full-time equivalent positions: | | |
| 15 | ..... | \$ | 7,739,415 |
| 16 | ..... | FTEs | 60.35 |
| 17 | 6. CAREER AND TECHNICAL EDUCATION | | |
| 18 | For reimbursement for career and technical education | | |
| 19 | expenditures made by regional career and technical education | | |
| 20 | planning partnerships in accordance with section 258.14: | | |
| 21 | ..... | \$ | 2,952,459 |
| 22 | 7. SCHOOL FOOD SERVICE | | |
| 23 | For use as state matching moneys for federal programs that | | |
| 24 | shall be disbursed according to federal regulations, including | | |
| 25 | salaries, support, maintenance, and miscellaneous purposes, and | | |
| 26 | for not more than the following full-time equivalent positions: | | |
| 27 | ..... | \$ | 2,176,797 |
| 28 | ..... | FTEs | 23.65 |
| 29 | 8. EARLY CHILDHOOD IOWA FUND — GENERAL AID | | |
| 30 | For deposit in the school ready children grants account of | | |
| 31 | the early childhood Iowa fund created in section 256I.11: | | |
| 32 | ..... | \$ | 22,662,799 |
| 33 | a. From the moneys deposited in the school ready children | | |
| 34 | grants account for the fiscal year beginning July 1, 2019, and | | |
| 35 | ending June 30, 2020, not more than \$265,950 is allocated for | | |

Page 6

1 the early childhood Iowa office and other technical assistance
2 activities. Moneys allocated under this lettered paragraph
3 may be used by the early childhood Iowa state board for the
4 purpose of skills development and support for ongoing training
5 of staff. However, except as otherwise provided in this
6 subsection, moneys shall not be used for additional staff or
7 for the reimbursement of staff.
8 b. Of the amount appropriated in this subsection for
9 deposit in the school ready children grants account of the
10 early childhood Iowa fund, \$2,318,018 shall be used for efforts

11 to improve the quality of early care, health, and education
12 programs. Moneys allocated pursuant to this paragraph may be
13 used for additional staff and for the reimbursement of staff.
14 The early childhood Iowa state board may reserve a portion
15 of the allocation, not to exceed \$88,650 for the technical
16 assistance expenses of the early childhood Iowa state office,
17 including the reimbursement of staff, and shall distribute
18 the remainder to early childhood Iowa areas for local quality
19 improvement efforts through a methodology identified by the
20 early childhood Iowa state board to make the most productive
21 use of the funding, which may include use of the distribution
22 formula, grants, or other means.
23 c. Of the amount appropriated in this subsection for
24 deposit in the school ready children grants account of
25 the early childhood Iowa fund, \$825,030 shall be used for
26 support of professional development and training activities
27 for persons working in early care, health, and education by
28 the early childhood Iowa state board in collaboration with
29 the professional development component groups maintained by
30 the early childhood Iowa stakeholders alliance pursuant to
31 section 256I.12, subsection 7, paragraph “b”, and the early
32 childhood Iowa area boards. Expenditures shall be limited to
33 professional development and training activities agreed upon by
34 the parties participating in the collaboration.
35 9. BIRTH TO AGE THREE SERVICES

Page 7

1 a. For expansion of the federal Individuals with
2 Disabilities Education Improvement Act of 2004, Pub. L. No.
3 108-446, as amended to January 1, 2018, birth through age three
4 services due to increased numbers of children qualifying for
5 those services:
6 \$ 1,721,400
7 b. From the moneys appropriated in this subsection,
8 \$383,769 shall be allocated to the child health specialty
9 clinics administered by the state university of Iowa in order
10 to provide additional support for infants and toddlers who are
11 born prematurely, drug-exposed, or medically fragile.
12 10. EARLY HEAD START PROJECTS
13 a. For early head start projects:
14 \$ 574,500
15 b. The moneys appropriated in this subsection shall be
16 used for implementation and expansion of early head start
17 pilot projects addressing the comprehensive cognitive, social,
18 emotional, and developmental needs of children from birth to
19 age three, including prenatal support for qualified families.
20 The projects shall promote healthy prenatal outcomes and
21 healthy family functioning, and strengthen the development of
22 infants and toddlers in low-income families. Priority shall be
23 given to those organizations that have previously qualified for
24 and received state funding to administer an early head start

25 project.

26 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

27 a. To provide moneys for costs of providing textbooks
28 to each resident pupil who attends a nonpublic school as
29 authorized by section 301.1:

30 \$ 652,000

31 b. Funding under this subsection is limited to \$25 per
32 pupil and shall not exceed the comparable services offered to
33 resident public school pupils.

34 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

35 For purposes of the student achievement and teacher quality

Page 8

1 program established pursuant to chapter 284, and for not more
2 than the following full-time equivalent positions:

3 \$ 2,965,467

4 FTEs 5.90

5 13. STATEWIDE STUDENT ASSESSMENT

6 For distribution to the Iowa testing program by the
7 department of education on behalf of school districts and
8 accredited nonpublic schools to offset the costs associated
9 with a statewide student assessment administered in accordance
10 with section 256.7, subsection 21, paragraph "b":

11 \$ 3,000,000

12 From the moneys appropriated in this subsection, not more
13 than \$300,000 shall be distributed to the Iowa testing programs
14 within the university of Iowa college of education to offset
15 the costs of administering the statewide student assessment at
16 accredited nonpublic schools.

17 14. STATEWIDE CLEARINGHOUSE TO EXPAND WORK-BASED LEARNING

18 For support costs associated with the creation of a
19 statewide clearinghouse to expand work-based learning as a part
20 of the future ready Iowa initiative:

21 \$ 300,000

22 15. POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS
23 PROGRAM

24 For support costs associated with the creation of a
25 program to provide additional funds for resident high school
26 pupils enrolled in grades 9 through 12 to attend a community
27 college for college-level classes or attend a class taught
28 by a community college-employed instructor during the summer
29 and outside of the regular school year through a contractual
30 agreement between a community college and a school district
31 under the future ready Iowa initiative:

32 \$ 600,000

33 Notwithstanding section 8.33, moneys received by the
34 department pursuant to this subsection that remain unencumbered
35 or unobligated at the close of the fiscal year shall not revert

Page 9

| | | |
|----|--|-----------|
| 1 | but shall remain available for expenditure for the purposes | |
| 2 | specified in this subsection for the following fiscal year. | |
| 3 | 16. JOBS FOR AMERICA'S GRADUATES | |
| 4 | For school districts to provide direct services to the | |
| 5 | most at-risk middle school or high school students enrolled | |
| 6 | in school districts through direct intervention by a jobs for | |
| 7 | America's graduates specialist: | |
| 8 | \$ | 2,666,188 |
| 9 | 17. ATTENDANCE CENTER PERFORMANCE/GENERAL INTERNET SITE AND | |
| 10 | DATA SYSTEM SUPPORT | |
| 11 | For administration of a process for school districts to | |
| 12 | establish specific performance goals and to evaluate the | |
| 13 | performance of each attendance center operated by the district | |
| 14 | in order to arrive at an overall school performance grade and | |
| 15 | report card for each attendance center, for internet site | |
| 16 | and data system support, and for not more than the following | |
| 17 | full-time equivalent positions: | |
| 18 | \$ | 250,000 |
| 19 | FTEs | 1.95 |
| 20 | 18. ONLINE STATE JOB POSTING SYSTEM | |
| 21 | For purposes of administering the online state job posting | |
| 22 | system in accordance with section 256.27: | |
| 23 | \$ | 230,000 |
| 24 | 19. SUCCESSFUL PROGRESSION FOR EARLY READERS | |
| 25 | For distribution to school districts for implementation | |
| 26 | of section 279.68, subsection 2, relating to successful | |
| 27 | progression for early readers: | |
| 28 | \$ | 7,824,782 |
| 29 | 20. EARLY WARNING SYSTEM FOR LITERACY | |
| 30 | For purposes of purchasing a statewide license for an early | |
| 31 | warning assessment and administering the early warning system | |
| 32 | for literacy established in accordance with section 279.68 and | |
| 33 | rules adopted in accordance with section 256.7, subsection 31: | |
| 34 | \$ | 1,915,000 |
| 35 | The department shall administer and distribute to school | |

Page 10

1 districts and accredited nonpublic schools the early warning
2 assessment system that allows teachers to screen and monitor
3 student literacy skills from prekindergarten through grade
4 six. The department may charge school districts and accredited
5 nonpublic schools a fee for the system not to exceed the actual
6 costs to purchase a statewide license for the early warning
7 assessment minus the moneys received by the department under
8 this subsection. The fee shall be determined by dividing the
9 actual remaining costs to purchase the statewide license for
10 the school year by the number of pupils assessed under the
11 system in the current fiscal year. School districts may use
12 moneys received pursuant to section 257.10, subsection 11, and

13 moneys received for purposes of implementing section 279.68,
 14 subsection 2, to pay the early warning assessment system fee.

15 21. IOWA READING RESEARCH CENTER

16 a. For purposes of the Iowa reading research center in
 17 order to implement, in collaboration with the area education
 18 agencies, the provisions of section 256.9, subsection 49,
 19 paragraph "c":
 20

20 \$ 1,300,176

21 b. Notwithstanding section 8.33, moneys received by the
 22 department pursuant to this subsection that remain unencumbered
 23 or unobligated at the close of the fiscal year shall not revert
 24 but shall remain available for expenditure for the purposes
 25 specified in this subsection for the following fiscal year.

26 22. COMPUTER SCIENCE PROFESSIONAL DEVELOPMENT INCENTIVE
 27 FUND

28 For deposit in the computer science professional development
 29 incentive fund established under section 284.6A:

30 \$ 500,000

31 23. CHILDREN'S MENTAL HEALTH SCHOOL-BASED TRAINING AND
 32 SUPPORT

33 For establishment of school-based children's mental health
 34 supports, including mental health awareness training for
 35 educators:

Page 11

1 \$ 2,100,000

2 From moneys appropriated in this subsection, \$1,200,000 shall
 3 be allocated to the area education agencies to provide mental
 4 health awareness training for educators and schools, \$750,000
 5 shall be allocated to the area education agencies in the
 6 manner determined by the area education agencies to be used to
 7 identify a range of approaches to best meet the mental health
 8 needs of students and to strengthen community support for
 9 students, and \$150,000 shall be allocated to the area education
 10 agencies to create a clearinghouse of mental health resources
 11 for use by schools and community providers.

12 24. BEST BUDDIES IOWA

13 For school districts to create opportunities for one-to-one
 14 friendships, integrated employment, and leadership development
 15 for students with intellectual and developmental disabilities:

16 \$ 25,000

17 The department of education shall establish criteria for
 18 the distribution of moneys appropriated under this subsection
 19 and shall require an organization receiving moneys under this
 20 subsection to annually report student identifying data for
 21 students participating in the program to the department in the
 22 manner prescribed by the department as a condition of receiving
 23 such moneys.

24 25. ADULT EDUCATION AND LITERACY PROGRAMS

25 For distribution as grants to community colleges for
 26 the purpose of adult basic education programs for students

27 requiring instruction in English as a second language:
 28 \$ 500,000
 29 In issuing grants under this subsection, the department
 30 shall use the same application process and criteria as are
 31 used for purposes of awarding grants to community colleges for
 32 the purpose of adult basic education programs for students
 33 requiring instruction in English as a second language using
 34 moneys that are appropriated to the department from the Iowa
 35 skilled worker and job creation fund.

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1 26. MIDWESTERN HIGHER EDUCATION COMPACT
 2 a. For distribution to the midwestern higher education
 3 compact to pay Iowa's member state annual obligation:
 4 \$ 115,000
 5 b. Notwithstanding section 8.33, moneys appropriated
 6 for distribution to the midwestern higher education compact
 7 pursuant to this subsection that remain unencumbered or
 8 unobligated at the close of the fiscal year shall not revert
 9 but shall remain available for expenditure for the purpose
 10 designated until the close of the succeeding fiscal year.
 11 27. NONPUBLIC SCHOOL CONCURRENT ENROLLMENT PAYMENTS TO
 12 COMMUNITY COLLEGES
 13 For payments to community colleges for the concurrent
 14 enrollment of accredited nonpublic students under section
 15 261E.8, subsection 2, paragraph "b", if enacted by 2019 Iowa
 16 Acts, Senate File 603:
 17 \$ 1,000,000
 18 28. COMMUNITY COLLEGES
 19 For general state financial aid to merged areas as defined in
 20 section 260C.2 in accordance with chapters 258 and 260C:
 21 \$ 208,690,889
 22 Notwithstanding the allocation formula in section 260C.18C,
 23 the moneys appropriated in this subsection shall be allocated
 24 as follows:
 25 a. Merged Area I
 26 \$ 10,288,776
 27 b. Merged Area II
 28 \$ 10,412,827
 29 c. Merged Area III
 30 \$ 9,627,629
 31 d. Merged Area IV
 32 \$ 4,747,988
 33 e. Merged Area V
 34 \$ 11,826,186
 35 f. Merged Area VI

Page 13

1 \$ 9,242,211
 2 g. Merged Area VII

| | | | |
|----|---------------------|----|------------|
| 3 | ..... | \$ | 14,064,146 |
| 4 | h. Merged Area IX | | |
| 5 | ..... | \$ | 17,824,206 |
| 6 | i. Merged Area X | | |
| 7 | ..... | \$ | 32,630,575 |
| 8 | j. Merged Area XI | | |
| 9 | ..... | \$ | 35,062,314 |
| 10 | k. Merged Area XII | | |
| 11 | ..... | \$ | 11,580,773 |
| 12 | l. Merged Area XIII | | |
| 13 | ..... | \$ | 12,595,615 |
| 14 | m. Merged Area XIV | | |
| 15 | ..... | \$ | 4,840,185 |
| 16 | n. Merged Area XV | | |
| 17 | ..... | \$ | 15,175,939 |
| 18 | o. Merged Area XVI | | |
| 19 | ..... | \$ | 8,771,520 |

20 Sec. 6. LIMITATIONS OF STANDING APPROPRIATION FOR AT-RISK

21 CHILDREN. Notwithstanding the standing appropriation in
 22 section 279.51 for the fiscal year beginning July 1, 2019, and
 23 ending June 30, 2020, the amount appropriated from the general
 24 fund of the state to the department of education for programs
 25 for at-risk children under section 279.51 shall be not more
 26 than \$10,524,389. The amount of any reduction in this section
 27 shall be prorated among the programs specified in section
 28 279.51, subsection 1, paragraphs “a”, “b”, and “c”.

29 Sec. 7. 2017 Iowa Acts, chapter 172, section 50, subsection
 30 5, as amended by 2018 Iowa Acts, chapter 1163, section 4, is
 31 amended to read as follows:

32 5. PUBLIC BROADCASTING DIVISION

33 For salaries, support, maintenance, capital expenditures,
 34 and miscellaneous purposes, and for not more than the following
 35 full-time equivalent positions:

Page 14

| | | | |
|---|------------|----|-----------|
| 1 | ..... | \$ | 7,589,415 |
| 2 | | | 7,689,415 |
| 3 | FTEs | | 60.17 |

4 Notwithstanding section 8.33, moneys received by the
 5 department pursuant to this subsection that remain unencumbered
 6 or unobligated at the close of the fiscal year shall not revert
 7 but shall remain available for expenditure for the purposes
 8 specified in this subsection for the following fiscal year.

9 Sec. 8. 2017 Iowa Acts, chapter 172, section 50, subsection
 10 12C, as enacted by 2018 Iowa Acts, chapter 1163, section 4, is
 11 amended to read as follows:

12 12C. POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS
 13 PROGRAM

14 For support costs associated with the creation of a program
 15 to provide additional funds for resident high school pupils
 16 enrolled in grades 9-12 to attend a community college for

17 college-level classes or attend a class taught by a community
18 college-employed instructor during the summer and outside of
19 the regular school year through a contractual agreement between
20 a community college and a school district under the future
21 ready Iowa initiative:
22 \$ 600,000
23 Notwithstanding section 8.33, moneys received by the
24 department pursuant to this subsection that remain unencumbered
25 or unobligated at the close of the fiscal year shall not revert
26 but shall remain available for expenditure for the purposes
27 specified in this subsection for the following fiscal year.
28 STATE BOARD OF REGENTS
29 Sec. 9. There is appropriated from the general fund of
30 the state to the state board of regents for the fiscal year
31 beginning July 1, 2019, and ending June 30, 2020, the following
32 amounts, or so much thereof as is necessary, to be used for the
33 purposes designated:
34 1. OFFICE OF STATE BOARD OF REGENTS
35 a. For salaries, support, maintenance, and miscellaneous

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1 purposes, and for not more than the following full-time
2 equivalent positions:
3 \$ 775,655
4 FTEs 2.48
5 The state board of regents shall submit a monthly financial
6 report in a format agreed upon by the state board of regents
7 office and the legislative services agency. The report
8 submitted in December 2019 shall include the five-year
9 graduation rates for the regents universities.
10 b. For moneys to be allocated to the western Iowa regents
11 resource center:
12 \$ 272,161
13 c. For moneys to be distributed to Iowa public radio for
14 public radio operations:
15 \$ 350,648
16 d. For allocation by the state board of regents to the state
17 university of Iowa, the Iowa state university of science and
18 technology, and the university of northern Iowa to support
19 new strategic initiatives, meet needs caused by enrollment
20 increases, meet the demand for new courses and services, to
21 fund new but unavoidable or mandated cost increases, and to
22 support any other initiatives important to the core functions
23 of the universities:
24 \$ 12,000,000
25 2. STATE UNIVERSITY OF IOWA
26 a. General university
27 For salaries, support, maintenance, equipment, financial
28 aid, and miscellaneous purposes, and for not more than the
29 following full-time equivalent positions:
30 \$ 214,710,793

| | | | |
|----|---|------|----------|
| 31 | ..... | FTEs | 5,058.55 |
| 32 | b. Oakdale campus | | |
| 33 | For salaries, support, maintenance, and miscellaneous | | |
| 34 | purposes, and for not more than the following full-time | | |
| 35 | equivalent positions: | | |

Page 16

| | | | |
|----|--|------|-----------|
| 1 | ..... | \$ | 2,134,120 |
| 2 | ..... | FTEs | 38.25 |
| 3 | c. State hygienic laboratory | | |
| 4 | For salaries, support, maintenance, and miscellaneous | | |
| 5 | purposes, and for not more than the following full-time | | |
| 6 | equivalent positions: | | |
| 7 | ..... | \$ | 4,297,032 |
| 8 | ..... | FTEs | 102.51 |
| 9 | d. Family practice program | | |
| 10 | For allocation by the dean of the college of medicine, with | | |
| 11 | approval of the advisory board, to qualified participants | | |
| 12 | to carry out the provisions of chapter 148D for the family | | |
| 13 | practice residency education program, including salaries | | |
| 14 | and support, and for not more than the following full-time | | |
| 15 | equivalent positions: | | |
| 16 | ..... | \$ | 1,745,379 |
| 17 | ..... | FTEs | 2.71 |
| 18 | e. Child health care services | | |
| 19 | For specialized child health care services, including | | |
| 20 | childhood cancer diagnostic and treatment network programs, | | |
| 21 | rural comprehensive care for hemophilia patients, and the | | |
| 22 | Iowa high-risk infant follow-up program, including salaries | | |
| 23 | and support, and for not more than the following full-time | | |
| 24 | equivalent positions: | | |
| 25 | ..... | \$ | 643,641 |
| 26 | ..... | FTEs | 4.16 |
| 27 | f. Statewide cancer registry | | |
| 28 | For the statewide cancer registry, and for not more than the | | |
| 29 | following full-time equivalent positions: | | |
| 30 | ..... | \$ | 145,476 |
| 31 | ..... | FTEs | 0.08 |
| 32 | g. Substance abuse consortium | | |
| 33 | For moneys to be allocated to the Iowa consortium for | | |
| 34 | substance abuse research and evaluation, and for not more than | | |
| 35 | the following full-time equivalent position: | | |

Page 17

| | | | |
|---|--|------|---------|
| 1 | ..... | \$ | 54,197 |
| 2 | ..... | FTEs | 0.99 |
| 3 | h. Center for biocatalysis | | |
| 4 | For the center for biocatalysis, and for not more than the | | |
| 5 | following full-time equivalent positions: | | |
| 6 | ..... | \$ | 706,371 |

| | | | |
|----|--|------|---------|
| 7 | ..... | FTEs | 1.67 |
| 8 | i. Primary health care initiative | | |
| 9 | For the primary health care initiative in the college | | |
| 10 | of medicine, and for not more than the following full-time | | |
| 11 | equivalent positions: | | |
| 12 | ..... | \$ | 633,367 |
| 13 | ..... | FTEs | 6.23 |
| 14 | From the moneys appropriated in this lettered paragraph, | | |
| 15 | \$254,889 shall be allocated to the department of family | | |
| 16 | practice at the state university of Iowa college of medicine | | |
| 17 | for family practice faculty and support staff. | | |
| 18 | j. Birth defects registry | | |
| 19 | For the birth defects registry, and for not more than the | | |
| 20 | following full-time equivalent position: | | |
| 21 | ..... | \$ | 37,370 |
| 22 | ..... | FTEs | 0.38 |
| 23 | k. Larned A. Waterman Iowa nonprofit resource center | | |
| 24 | For the Larned A. Waterman Iowa nonprofit resource center, | | |
| 25 | and for not more than the following full-time equivalent | | |
| 26 | positions: | | |
| 27 | ..... | \$ | 158,641 |
| 28 | ..... | FTEs | 1.88 |
| 29 | l. Iowa online advanced placement academy science, | | |
| 30 | technology, engineering, and mathematics initiative | | |
| 31 | For the establishment of the Iowa online advanced placement | | |
| 32 | academy science, technology, engineering, and mathematics | | |
| 33 | initiative established pursuant to section 263.8A: | | |
| 34 | | \$ | 470,293 |
| 35 | m. Iowa flood center | | |

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| | | | |
|----|--|------|-------------|
| 1 | For the Iowa flood center for use by the university's college | | |
| 2 | of engineering pursuant to section 466C.1: | | |
| 3 | ..... | \$ | 1,171,222 |
| 4 | 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY | | |
| 5 | a. General university | | |
| 6 | For salaries, support, maintenance, equipment, financial | | |
| 7 | aid, and miscellaneous purposes, and for not more than the | | |
| 8 | following full-time equivalent positions: | | |
| 9 | ..... | \$ | 170,624,125 |
| 10 | ..... | FTEs | 3,647.42 |
| 11 | b. Agricultural experiment station | | |
| 12 | For the agricultural experiment station salaries, support, | | |
| 13 | maintenance, and miscellaneous purposes, and for not more than | | |
| 14 | the following full-time equivalent positions: | | |
| 15 | ..... | \$ | 29,886,877 |
| 16 | ..... | FTEs | 546.98 |
| 17 | c. Cooperative extension service in agriculture and home | | |
| 18 | economics | | |
| 19 | For the cooperative extension service in agriculture | | |
| 20 | and home economics salaries, support, maintenance, and | | |

| | | | |
|----|--|------|------------|
| 21 | miscellaneous purposes, and for not more than the following | | |
| 22 | full-time equivalent positions: | | |
| 23 | ..... | \$ | 18,266,722 |
| 24 | ..... | FTEs | 382.34 |
| 25 | d. Livestock disease research | | |
| 26 | For deposit in and the use of the livestock disease research | | |
| 27 | fund under section 267.8: | | |
| 28 | ..... | \$ | 172,844 |
| 29 | 4. UNIVERSITY OF NORTHERN IOWA | | |
| 30 | a. General university | | |
| 31 | For salaries, support, maintenance, equipment, financial | | |
| 32 | aid, and miscellaneous purposes, and for not more than the | | |
| 33 | following full-time equivalent positions: | | |
| 34 | | \$ | 95,712,362 |
| 35 | | FTEs | 1,346.66 |

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| | | | |
|----|---|------|-----------|
| 1 | b. Recycling and reuse center | | |
| 2 | For purposes of the recycling and reuse center, and for not | | |
| 3 | more than the following full-time equivalent positions: | | |
| 4 | ..... | \$ | 175,256 |
| 5 | ..... | FTEs | 1.93 |
| 6 | c. Science, technology, engineering, and mathematics (STEM) | | |
| 7 | collaborative initiative | | |
| 8 | For purposes of the science, technology, engineering, | | |
| 9 | and mathematics (STEM) collaborative initiative established | | |
| 10 | pursuant to section 268.7, and for not more than the following | | |
| 11 | full-time equivalent positions: | | |
| 12 | ..... | \$ | 6,446,375 |
| 13 | ..... | FTEs | 5.50 |
| 14 | (1) Except as otherwise provided in this lettered | | |
| 15 | paragraph, the moneys appropriated in this lettered paragraph | | |
| 16 | shall be expended for salaries, staffing, institutional | | |
| 17 | support, activities directly related to recruitment of | | |
| 18 | kindergarten through grade 12 mathematics and science teachers, | | |
| 19 | and for ongoing mathematics and science programming for | | |
| 20 | students enrolled in kindergarten through grade 12. | | |
| 21 | (2) The university of northern Iowa shall work with the | | |
| 22 | community colleges to develop STEM professional development | | |
| 23 | programs for community college instructors and STEM curriculum | | |
| 24 | development. | | |
| 25 | (3) From the moneys appropriated in this lettered | | |
| 26 | paragraph, not less than \$500,000 shall be used to provide | | |
| 27 | technology education opportunities to high school, | | |
| 28 | career academy, and community college students through a | | |
| 29 | public-private partnership, as well as opportunities for | | |
| 30 | students and faculties at these institutions to secure | | |
| 31 | broad-based information technology certification. The | | |
| 32 | partnership shall provide all of the following: | | |
| 33 | (a) A research-based curriculum. | | |
| 34 | (b) Online access to the curriculum. | | |

35 (c) Instructional software for classroom and student use.

Page 20

1 (d) Certification of skills and competencies in a broad base
2 of information technology-related skill areas.

3 (e) Professional development for teachers.

4 (f) Deployment and program support, including but not
5 limited to integration with current curriculum standards.

6 (4) Notwithstanding section 8.33, of the moneys
7 appropriated in this paragraph “c” that remain unencumbered
8 or unobligated at the close of the fiscal year, an amount
9 equivalent to not more than 5 percent of the amount
10 appropriated in this paragraph “c” shall not revert but shall
11 remain available for expenditure for summer programs for
12 students until the close of the succeeding fiscal year.

13 d. Real estate education program

14 For purposes of the real estate education program, and for
15 not more than the following full-time equivalent position:

| | | |
|----------|------|---------|
| 16 | \$ | 125,302 |
| 17 | FTEs | 0.86 |

18 5. STATE SCHOOL FOR THE DEAF

19 For salaries, support, maintenance, and miscellaneous
20 purposes, and for not more than the following full-time
21 equivalent positions:

| | | |
|----------|------|------------|
| 22 | \$ | 10,299,287 |
| 23 | FTEs | 101.84 |

24 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

25 For salaries, support, maintenance, and miscellaneous
26 purposes, and for not more than the following full-time
27 equivalent positions:

| | | |
|----------|------|-----------|
| 28 | \$ | 4,334,759 |
| 29 | FTEs | 58.00 |

30 Sec. 10. ENERGY COST-SAVINGS PROJECTS — FINANCING. For

31 the fiscal year beginning July 1, 2019, and ending June 30,
32 2020, the state board of regents may use notes, bonds, or
33 other evidences of indebtedness issued under section 262.48 to
34 finance projects that will result in energy cost savings in an
35 amount that will cause the state board to recover the cost of

Page 21

1 the projects within an average of six years.

2 Sec. 11. PRESCRIPTION DRUG COSTS. Notwithstanding section
3 270.7, the department of administrative services shall pay
4 the state school for the deaf and the Iowa braille and sight
5 saving school the moneys collected from the counties during the
6 fiscal year beginning July 1, 2019, for expenses relating to
7 prescription drug costs for students attending the state school
8 for the deaf and the Iowa braille and sight saving school.

9 Sec. 12. Section 84A.1B, subsection 13A, as enacted by
10 2018 Iowa Acts, chapter 1067, section 7, is amended to read as

11 follows:

12 13A. Create, and update as necessary, a list of high-demand
 13 jobs statewide for purposes of the future ready Iowa registered
 14 apprenticeship development program created in section 15C.1,
 15 the summer youth intern pilot program established under section
 16 84A.12, the Iowa employer innovation program established
 17 under section 84A.13, the future ready Iowa skilled workforce
 18 last-dollar scholarship program established under section
 19 261.131, the future ready Iowa skilled workforce grant program
 20 established under section 261.132, and postsecondary summer
 21 classes for high school students as provided under section
 22 261E.8, subsection 7A. In addition to the list created by
 23 the workforce development board under this subsection, each
 24 community college, in consultation with regional career
 25 and technical education planning partnerships, and with the
 26 approval of the board of directors of the community college,
 27 may identify and maintain a list of not more than five regional
 28 high-demand jobs in the community college region, and shall
 29 share the lists with the workforce development board. The
 30 lists submitted by community colleges under the subsection
 31 may be used in that community college region for purposes of
 32 programs identified under this subsection. The workforce
 33 development board shall have full discretion to select and
 34 prioritize statewide high-demand jobs after consulting with
 35 business and education stakeholders, as appropriate, and

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1 seeking public comment. The workforce development board may
 2 add to the list of high-demand jobs as it deems necessary. For
 3 purposes of this subsection, “high-demand job” means a job in
 4 the state ~~for which~~ that the board, or a community college in
 5 accordance with this subsection, ~~determines work opportunities~~
 6 ~~are available and qualified applicants are lacking~~ has
 7 identified in accordance with this subsection. In creating a
 8 list under this subsection, the workforce development board
 9 shall use, at a minimum, the following criteria:
 10 a. An entry-level wage of not less than fourteen dollars.
 11 b. Educational attainment of a qualifying credential up to a
 12 bachelor’s degree.
 13 c. One or both of the following criteria:
 14 (1) Projected annual job openings of at least two hundred
 15 fifty or more during the next five years.
 16 (2) Annual job growth of at least one percent.
 17 Sec. 13. Section 261.25, subsections 1 and 2, Code 2019, are
 18 amended to read as follows:
 19 1. There is appropriated from the general fund of the state
 20 to the commission for each fiscal year the sum of ~~forty-six~~
 21 forty-seven million ~~six~~ seven hundred ~~thirty-three~~ thousand
 22 ~~nine~~ four hundred ~~fifty-one~~ sixty-three dollars for tuition
 23 grants to qualified students who are enrolled in accredited
 24 private institutions.

25 2. There is appropriated from the general fund of the state
26 to the commission for each fiscal year the sum of ~~three~~ four
27 hundred ~~seventy-six~~ twenty-six thousand two hundred twenty
28 dollars for tuition grants for qualified students who are
29 enrolled in eligible institutions. Of the moneys appropriated
30 under this subsection, not more than eighty thousand dollars
31 annually shall be used for tuition grants to qualified students
32 who are attending an eligible institution under section 261.9,
33 subsection 3, paragraph "b".
34 Sec. 14. Section 261.86, subsection 1, unnumbered paragraph
35 1, Code 2019, is amended to read as follows:

Page 23

1 A national guard educational ~~assistance program~~ service
2 scholarship is established to be administered by the college
3 student aid commission for members of the Iowa national guard
4 who are enrolled as undergraduate students in a community
5 college, an institution of higher learning under the state
6 board of regents, or an accredited private institution. The
7 college student aid commission shall adopt rules pursuant
8 to chapter 17A to administer this section. An individual
9 is eligible for the national guard ~~educational assistance~~
10 service scholarship program if the individual meets all of the
11 following conditions:

12 Sec. 15. Section 261.86, subsection 1, paragraph a, Code
13 2019, is amended to read as follows:

14 a. Is a resident of the state and a member of an Iowa
15 army or air national guard unit while receiving ~~educational~~
16 assistance scholarship award payments issued pursuant to this
17 section.

18 Sec. 16. Section 261.86, subsections 2, 3, 4, and 5, Code
19 2019, are amended to read as follows:

20 2. ~~Educational assistance~~ Scholarship awards paid pursuant
21 to this section shall not exceed the resident tuition rate
22 established for institutions of higher learning under
23 the control of the state board of regents. If the amount
24 appropriated in a fiscal year for purposes of this section is
25 insufficient to provide ~~educational assistance~~ scholarships
26 to all national guard members who apply for the program and
27 who are determined by the adjutant general to be eligible
28 for the program, the adjutant general shall, in coordination
29 with the commission, determine the distribution of ~~educational~~
30 assistance scholarships. However, ~~educational assistance~~
31 scholarship awards paid pursuant to this section shall not
32 be less than fifty percent of the resident tuition rate
33 established for institutions of higher learning under the
34 control of the state board of regents or fifty percent of
35 the tuition rate at the institution attended by the national

Page 24

1 guard member, whichever is lower. Neither eligibility nor
2 ~~educational assistance scholarship award~~ determinations shall
3 be based upon a national guard member's unit, the location at
4 which drills are attended, or whether the eligible individual
5 is a member of the Iowa army or air national guard.

6 3.a.(1) ~~An~~ Except as provided in subparagraph (2), an
7 eligible member of the national guard, attending an institution
8 as provided in subsection 1, paragraph "d", shall not receive
9 ~~educational assistance scholarship awards~~ under this section
10 for more than one hundred twenty semester, or the equivalent,
11 credit hours of undergraduate study.

12 (2) An eligible member of the national guard, attending an
13 institution as provided in subsection 1, paragraph "d", who is
14 enrolled in a program of education leading to a postsecondary
15 degree that meets the eligibility requirements for the federal
16 Edith Nourse Rogers STEM scholarship established under 38
17 U.S.C. §3320, shall not receive scholarship awards issued under
18 this section for more than one hundred thirty semester, or the
19 equivalent, credit hours of undergraduate study.

20 (3) A national guard member who has met the educational
21 requirements for a baccalaureate degree is ineligible for
22 ~~educational assistance a scholarship award~~ under this section.

23 b. A member of the national guard who received educational
24 assistance under this section prior to July 1, 2015, shall
25 be deemed to have received educational assistance for the
26 following number of credit hours for educational assistance
27 received before that date:

28 (1) For each semester that the member received educational
29 assistance while attending an institution as a full-time
30 student, twelve credit hours.

31 (2) For each semester that the member received educational
32 assistance while attending an institution as a part-time
33 student, six credit hours.

34 (3) For each trimester or quarter that the member received
35 educational assistance while attending an institution as a

Page 25

1 full-time or part-time student, the number of credit hours that
2 are determined to be the semester equivalent by the college
3 student aid commission.

4 4. The eligibility of applicants and scholarship award
5 ~~amounts of educational assistance~~ to be paid shall be
6 certified by the adjutant general of Iowa to the college
7 student aid commission, and all amounts that are or become
8 due to a community college, accredited private institution,
9 or institution of higher learning under the control of the
10 state board of regents under this section shall be paid to the
11 college or institution by the college student aid commission
12 upon receipt of certification by the president or governing

13 board of the educational institution as to accuracy of charges
14 made, and as to the attendance and academic progress of the
15 individual at the educational institution. The college student
16 aid commission shall maintain an annual record of the number of
17 participants and the dollar value of the ~~educational assistance~~
18 ~~provided awards issued.~~

19 5. ~~For purposes of this section, unless otherwise required,~~
20 ~~“educational assistance” means the same as Scholarships awarded~~
21 ~~under this section may be used by the recipient for the~~
22 ~~recipient’s “cost of attendance” as defined in Tit. IV, pt. B,~~
23 ~~of the federal Higher Education Act of 1965 as amended.~~

24 Sec. 17. Section 284.13, subsection 1, paragraphs a, b, c,
25 e, f, and g, Code 2019, are amended to read as follows:

26 a. For the fiscal year beginning July 1, ~~2018 2019~~, and
27 ending June 30, ~~2019 2020~~, to the department, the amount of
28 five hundred eight thousand two hundred fifty dollars for the
29 issuance of national board certification awards in accordance
30 with section 256.44. Of the amount allocated under this
31 paragraph, not less than eighty-five thousand dollars shall
32 be used to administer the ambassador to education position in
33 accordance with section 256.45.

34 b. For the fiscal year beginning July 1, ~~2018 2019~~, and
35 ending June 30, ~~2019 2020~~, up to seven hundred twenty-eight

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1 thousand two hundred sixteen dollars to the department for
2 purposes of implementing the professional development program
3 requirements of section 284.6, assistance in developing model
4 evidence for teacher quality committees established pursuant to
5 section 284.4, subsection 1, paragraph “b”, and the evaluator
6 training program in section 284.10. A portion of the funds
7 allocated to the department for purposes of this paragraph may
8 be used by the department for administrative purposes and for
9 not more than four full-time equivalent positions.

10 c. For the fiscal year beginning July 1, ~~2018 2019~~,
11 and ending June 30, ~~2019 2020~~, an amount up to one million
12 seventy-seven thousand eight hundred ten dollars to the
13 department for the establishment of teacher development
14 academies in accordance with section 284.6, subsection 10. A
15 portion of the funds allocated to the department for purposes
16 of this paragraph may be used for administrative purposes.

17 e. For the fiscal year beginning July 1, ~~2018 2019~~, and
18 ending June 30, ~~2019 2020~~, to the department an amount up to
19 twenty-five thousand dollars for purposes of the fine arts
20 beginning teacher mentoring program established under section
21 256.34.

22 f. For the fiscal year beginning July 1, ~~2018 2019~~, and
23 ending June 30, ~~2019 2020~~, to the department an amount up
24 to six hundred twenty-six thousand one hundred ninety-one
25 dollars shall be used by the department for a delivery system,
26 in collaboration with area education agencies, to assist in

27 implementing the career paths and leadership roles considered
 28 pursuant to sections 284.15, 284.16, and 284.17, including but
 29 not limited to planning grants to school districts and area
 30 education agencies, technical assistance for the department,
 31 technical assistance for districts and area education agencies,
 32 training and staff development, and the contracting of external
 33 expertise and services. In using moneys allocated for purposes
 34 of this paragraph, the department shall give priority to school
 35 districts with certified enrollments of fewer than six hundred

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1 students. A portion of the moneys allocated annually to the
 2 department for purposes of this paragraph may be used by the
 3 department for administrative purposes and for not more than
 4 five full-time equivalent positions.
 5 g. For the fiscal year beginning July 1, ~~2019~~ 2020, and
 6 for each subsequent fiscal year, to the department, ten
 7 million dollars for purposes of implementing the supplemental
 8 assistance for high-need schools provisions of section 284.11.
 9 Annually, of the moneys allocated to the department for
 10 purposes of this paragraph, up to one hundred thousand dollars
 11 may be used by the department for administrative purposes and
 12 for not more than one full-time equivalent position.

13 Sec. 18. EFFECTIVE DATE. The following, being deemed of
 14 immediate importance, takes effect upon enactment:

15 1. The section of this Act amending 2017 Iowa Acts, chapter
 16 172, section 50, subsection 5, as amended by 2018 Iowa Acts,
 17 chapter 1163, section 4.

18 2. The section of this Act amending 2017 Iowa Acts, chapter
 19 172, section 50, subsection 12C, as enacted by 2018 Iowa Acts,
 20 chapter 1163, section 4.

21 DIVISION II

22 WORKFORCE TRAINING PROGRAMS — APPROPRIATIONS FY 2019–2020

23 Sec. 19. There is appropriated from the Iowa skilled worker
 24 and job creation fund created in section 8.75 to the following
 25 departments, agencies, and institutions for the fiscal year
 26 beginning July 1, 2019, and ending June 30, 2020, the following
 27 amounts, or so much thereof as is necessary, to be used for the
 28 purposes designated:

29 1. DEPARTMENT OF EDUCATION

30 a. For deposit in the workforce training and economic
 31 development funds created pursuant to section 260C.18A:

| | | |
|----------|----|------------|
| 32 | \$ | 15,100,000 |
|----------|----|------------|

33 From the moneys appropriated in this lettered paragraph
 34 “a”, not more than \$100,000 shall be used by the department
 35 for administration of the workforce training and economic

Page 28

1 development funds created pursuant to section 260C.18A.

2 b. For distribution to community colleges for the purposes

3 of implementing adult education and literacy programs pursuant
4 to section 260C.50:

5 \$ 5,500,000

6 (1) From the moneys appropriated in this lettered paragraph
7 “b”, \$3,883,000 shall be allocated pursuant to the formula
8 established in section 260C.18C.

9 (2) From the moneys appropriated in this lettered paragraph
10 “b”, not more than \$150,000 shall be used by the department
11 for implementation of adult education and literacy programs
12 pursuant to section 260C.50.

13 (3) From the moneys appropriated in this lettered paragraph
14 “b”, not more than \$1,257,000 shall be distributed as grants
15 to community colleges for the purpose of adult basic education
16 programs for students requiring instruction in English
17 as a second language. The department shall establish an
18 application process and criteria to award grants pursuant to
19 this subparagraph to community colleges. The criteria shall be
20 based on need for instruction in English as a second language
21 in the region served by each community college as determined by
22 factors including data from the latest federal decennial census
23 and outreach efforts to determine regional needs.

24 (4) From the moneys appropriated in this lettered paragraph
25 “b”, \$210,000 shall be transferred to the department of human
26 services for purposes of administering a pilot project to
27 provide access to international resources to Iowans and new
28 Iowans to provide economic and leadership development resulting
29 in Iowa being a more inclusive and welcoming place to live,
30 work, and raise a family. The pilot project shall provide
31 supplemental support services for international refugees to
32 improve learning, English literacy, life skills, cultural
33 competencies, and integration in a county with a population
34 over 350,000 as determined by the 2010 federal decennial
35 census. The department of human services shall utilize a

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1 request for proposals process to identify the entity best
2 qualified to implement the pilot project.

3 c. For capital projects at community colleges that meet the
4 definition of the term “vertical infrastructure” in section
5 8.57, subsection 5, paragraph “c”:

6 \$ 6,000,000

7 Moneys appropriated in this lettered paragraph shall be
8 disbursed pursuant to section 260G.6, subsection 3. Projects
9 that qualify for moneys appropriated in this lettered paragraph
10 shall include at least one of the following:

11 (1) Accelerated career education program capital projects.

12 (2) Major renovations and major repair needs, including
13 health, life, and fire safety needs, including compliance with
14 the federal Americans With Disabilities Act.

15 d. For deposit in the pathways for academic career and
16 employment fund established pursuant to section 260H.2:

17 \$ 5,000,000
 18 From the moneys appropriated in this lettered paragraph “d”,
 19 not more than \$200,000 shall be allocated by the department
 20 for implementation of regional industry sector partnerships
 21 pursuant to section 260H.7B and for not more than one full-time
 22 equivalent position.
 23 e. For deposit in the gap tuition assistance fund
 24 established pursuant to section 260I.2:
 25 \$ 2,000,000
 26 f. For deposit in the statewide work-based learning
 27 intermediary network fund created pursuant to section 256.40:
 28 \$ 1,500,000
 29 From the moneys appropriated in this lettered paragraph
 30 “f”, not more than \$50,000 shall be used by the department for
 31 expenses associated with the activities of the secondary career
 32 and technical programming task force convened pursuant to this
 33 Act.
 34 g. For support costs associated with administering a
 35 workforce preparation outcome reporting system for the purpose

Page 30

1 of collecting and reporting data relating to the educational
 2 and employment outcomes of workforce preparation programs
 3 receiving moneys pursuant to this subsection:
 4 \$ 200,000
 5 2. COLLEGE STUDENT AID COMMISSION
 6 For purposes of providing skilled workforce shortage tuition
 7 grants in accordance with section 261.130:
 8 \$ 5,000,000
 9 3. Notwithstanding section 8.33, moneys appropriated
 10 in this section of this Act that remain unencumbered or
 11 unobligated at the close of the fiscal year shall not revert
 12 but shall remain available for expenditure for the purposes
 13 designated until the close of the succeeding fiscal year.
 14 Sec. 20. IOWA INDUSTRIAL NEW JOBS TRAINING ACT — FY
 15 2018–2019 DEFINITIONS. Notwithstanding section 260E.2, for
 16 the fiscal year beginning July 1, 2018, and ending June 30,
 17 2019, “new job” includes a new, existing, or recalled job
 18 in an industry which, for purposes of this section, means
 19 a business existing on the effective date of this section
 20 and located in a county with a population between 40,500 and
 21 41,000, as determined by the 2010 federal decennial census,
 22 that was declared a disaster area by the governor following a
 23 weather-related natural disaster which impacted the county on
 24 or about July 19, 2018.
 25 Sec. 21. Section 260I.2, subsection 2, paragraph c, Code
 26 2019, is amended to read as follows:
 27 c. Moneys Except as provided in section 260I.10, subsection
 28 4. moneys in the fund shall be allocated pursuant to the
 29 formula established in section 260C.18C. Notwithstanding
 30 section 8.33, moneys in the fund at the close of the fiscal

31 year shall not revert to the general fund of the state but
32 shall remain available for expenditure for the purpose
33 designated for subsequent fiscal years. Notwithstanding
34 section 12C.7, subsection 2, interest or earnings on moneys in
35 the fund shall be credited to the fund.

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1 Sec. 22. Section 260I.3, subsection 1, Code 2019, is amended
2 to read as follows:

3 1. The ~~department~~ state board of education, in consultation
4 with the economic development authority, shall adopt rules
5 pursuant to ~~this~~ chapter 17A defining eligibility criteria
6 for persons applying to receive tuition assistance under this
7 chapter.

8 Sec. 23. Section 260I.3, subsection 2, paragraph a, Code
9 2019, is amended to read as follows:

10 a. The applicant's family income for the ~~six~~ three months
11 prior to the date of application or documentation of a
12 life-changing event.

13 Sec. 24. Section 260I.3, Code 2019, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 6. The community college receiving the
16 application may limit an applicant to one eligible certificate
17 program or to eligible programs within one career pathway,
18 based on the funding available to the community college for
19 purposes of this program.

20 Sec. 25. Section 260I.4, subsection 4, Code 2019, is amended
21 by striking the subsection.

22 Sec. 26. Section 260I.7, Code 2019, is amended to read as
23 follows:

24 **260I.7 Initial assessment.**

25 An applicant for tuition assistance under this chapter shall
26 complete an initial assessment administered by the community
27 college receiving the application to determine the applicant's
28 readiness to complete an eligible certificate program. The
29 assessment shall include ~~assessments for completion of a~~
30 ~~national career readiness certificate, including~~ the areas of
31 ~~reading for information, applied and~~ mathematics, ~~and locating~~
32 ~~information.~~ An applicant shall complete any additional
33 assessments and occupational research required by an eligible
34 certificate program.

35 Sec. 27. Section 260I.10, Code 2019, is amended by adding

Page 32

1 the following new subsection:

2 NEW SUBSECTION. 4. The department of education, in
3 coordination with the community colleges, may adjust the
4 allocations generated pursuant to section 260I, subsection 2,
5 paragraph "c", to ensure efficient delivery of services.

6 Sec. 28. Section 260I.11, Code 2019, is amended to read as

7 follows:

8 **260I.11 Rules.**

9 ~~The department of state board of education, in consultation~~
10 ~~with the economic development authority and the community~~
11 colleges, shall adopt rules pursuant to chapter 17A and this
12 chapter to implement the provisions of this chapter.

13 Sec. 29. EFFECTIVE DATE. The following, being deemed of
14 immediate importance, takes effect upon enactment:

15 The section of this division of this Act relating to FY
16 2018–2019 definitions under the Iowa industrial new jobs
17 training Act.>

TIM KRAAYENBRINK

S-3201

1 Amend House File 766, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

DEPARTMENT ON AGING — FY 2019–2020

7 Section 1. DEPARTMENT ON AGING. There is appropriated from
8 the general fund of the state to the department on aging for
9 the fiscal year beginning July 1, 2019, and ending June 30,
10 2020, the following amount, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 For aging programs for the department on aging and area
13 agencies on aging to provide citizens of Iowa who are 60 years
14 of age and older with case management for frail elders, Iowa's
15 aging and disabilities resource center, and other services
16 which may include but are not limited to adult day services,
17 respite care, chore services, information and assistance,
18 and material aid, for information and options counseling for
19 persons with disabilities who are 18 years of age or older,
20 and for salaries, support, administration, maintenance, and
21 miscellaneous purposes, and for not more than the following
22 full-time equivalent positions:

| | | |
|----------|------|------------|
| 23 | \$ | 11,191,441 |
| 24 | FTEs | 27.00 |

25 1. Funds appropriated in this section may be used to
26 supplement federal funds under federal regulations. To
27 receive funds appropriated in this section, a local area
28 agency on aging shall match the funds with moneys from other
29 sources according to rules adopted by the department. Funds
30 appropriated in this section may be used for elderly services
31 not specifically enumerated in this section only if approved
32 by an area agency on aging for provision of the service within
33 the area.

34 2. Of the funds appropriated in this section, \$279,000 is
35 transferred to the economic development authority for the Iowa

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1 commission on volunteer services to be used for the retired and
2 senior volunteer program.

3 3. a. The department on aging shall establish and enforce
4 procedures relating to expenditure of state and federal funds
5 by area agencies on aging that require compliance with both
6 state and federal laws, rules, and regulations, including but
7 not limited to all of the following:

8 (1) Requiring that expenditures are incurred only for goods
9 or services received or performed prior to the end of the
10 fiscal period designated for use of the funds.

11 (2) Prohibiting prepayment for goods or services not
12 received or performed prior to the end of the fiscal period
13 designated for use of the funds.

14 (3) Prohibiting prepayment for goods or services not
15 defined specifically by good or service, time period, or
16 recipient.

17 (4) Prohibiting the establishment of accounts from which
18 future goods or services which are not defined specifically by
19 good or service, time period, or recipient, may be purchased.

20 b. The procedures shall provide that if any funds are
21 expended in a manner that is not in compliance with the
22 procedures and applicable federal and state laws, rules, and
23 regulations, and are subsequently subject to repayment, the
24 area agency on aging expending such funds in contravention of
25 such procedures, laws, rules and regulations, not the state,
26 shall be liable for such repayment.

27 4. Of the funds appropriated in this section, at least
28 \$600,000 shall be used to fund home and community-based
29 services through the area agencies on aging that enable older
30 individuals to avoid more costly utilization of residential or
31 institutional services and remain in their own homes.

32 5. Of the funds appropriated in this section, \$812,000 shall
33 be used for the purposes of chapter 231E and to administer
34 the prevention of elder abuse, neglect, and exploitation
35 program pursuant to section 231.56A, in accordance with the

Page 3

1 requirements of the federal Older Americans Act of 1965, 42
2 U.S.C. §3001 et seq., as amended.

3 6. Of the funds appropriated in this section, \$1,000,000
4 shall be used to fund continuation of the aging and disability
5 resource center lifelong links to provide individuals and
6 caregivers with information and services to plan for and
7 maintain independence.

8 7. Of the funds appropriated in this section, \$250,000
9 shall be used by the department on aging, in collaboration with
10 the department of human services and affected stakeholders, to
11 expand the pilot initiative to provide long-term care options
12 counseling utilizing support planning protocols, to assist

13 non-Medicaid eligible consumers who indicate a preference
 14 to return to the community and are deemed appropriate for
 15 discharge, to return to their community following a nursing
 16 facility stay. The department on aging shall submit a report
 17 regarding the outcomes of the pilot initiative to the governor
 18 and the general assembly by December 15, 2019.

19 DIVISION II

20 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2019–2020

21 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
 22 appropriated from the general fund of the state to the office
 23 of long-term care ombudsman for the fiscal year beginning July
 24 1, 2019, and ending June 30, 2020, the following amount, or
 25 so much thereof as is necessary, to be used for the purposes
 26 designated:

27 For salaries, support, administration, maintenance, and
 28 miscellaneous purposes, and for not more than the following
 29 full-time equivalent positions:

| | | |
|----------|------|-----------|
| 30 | \$ | 1,149,821 |
| 31 | FTEs | 16.00 |

32 DIVISION III

33 DEPARTMENT OF PUBLIC HEALTH — FY 2019–2020

34 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
 35 from the general fund of the state to the department of public

Page 4

1 health for the fiscal year beginning July 1, 2019, and ending
 2 June 30, 2020, the following amounts, or so much thereof as is
 3 necessary, to be used for the purposes designated:

4 1. ADDICTIVE DISORDERS

5 For reducing the prevalence of the use of tobacco, alcohol,
 6 and other drugs, and treating individuals affected by addictive
 7 behaviors, including gambling, and for not more than the
 8 following full-time equivalent positions:

| | | |
|----------|------|------------|
| 9 | \$ | 25,110,000 |
| 10 | FTEs | 12.00 |

11 a. (1) Of the funds appropriated in this subsection,
 12 \$4,021,000 shall be used for the tobacco use prevention
 13 and control initiative, including efforts at the state and
 14 local levels, as provided in chapter 142A. The commission
 15 on tobacco use prevention and control established pursuant
 16 to section 142A.3 shall advise the director of public health
 17 in prioritizing funding needs and the allocation of moneys
 18 appropriated for the programs and initiatives. Activities
 19 of the programs and initiatives shall be in alignment with
 20 the United States centers for disease control and prevention
 21 best practices for comprehensive tobacco control programs that
 22 include the goals of preventing youth initiation of tobacco
 23 usage, reducing exposure to secondhand smoke, and promotion
 24 of tobacco cessation. To maximize resources, the department
 25 shall determine if third-party sources are available to
 26 instead provide nicotine replacement products to an applicant

27 prior to provision of such products to an applicant under
28 the initiative. The department shall track and report to
29 the individuals specified in this Act, any reduction in
30 the provision of nicotine replacement products realized by
31 the initiative through implementation of the prerequisite
32 screening.
33 (2) (a) The department shall collaborate with the
34 alcoholic beverages division of the department of commerce for
35 enforcement of tobacco laws, regulations, and ordinances and to

Page 5

1 engage in tobacco control activities approved by the division
2 of tobacco use prevention and control of the department of
3 public health as specified in the memorandum of understanding
4 entered into between the divisions.
5 (b) For the fiscal year beginning July 1, 2019, and ending
6 June 30, 2020, the terms of the memorandum of understanding,
7 entered into between the division of tobacco use prevention
8 and control of the department of public health and the
9 alcoholic beverages division of the department of commerce,
10 governing compliance checks conducted to ensure licensed retail
11 tobacco outlet conformity with tobacco laws, regulations, and
12 ordinances relating to persons under 18 years of age, shall
13 continue to restrict the number of such checks to one check per
14 retail outlet, and one additional check for any retail outlet
15 found to be in violation during the first check.
16 b.(1) Of the funds appropriated in this subsection,
17 \$21,089,000 shall be used for problem gambling and
18 substance-related disorder prevention, treatment, and recovery
19 services, including a 24-hour helpline, public information
20 resources, professional training, youth prevention, and program
21 evaluation.
22 (2) Of the amount allocated under this paragraph, \$306,000
23 shall be utilized by the department of public health, in
24 collaboration with the department of human services, to support
25 establishment and maintenance of a single statewide 24-hour
26 crisis hotline for the Iowa children's behavioral health system
27 that incorporates warmline services which may be provided
28 through expansion of existing capabilities maintained by the
29 department of public health as required pursuant to 2018 Iowa
30 Acts, chapter 1056, section 16.
31 c. The requirement of section 123.17, subsection 5, is met
32 by the appropriations and allocations made in this division of
33 this Act for purposes of substance-related disorder treatment
34 and addictive disorders for the fiscal year beginning July 1,
35 2019.

Page 6

1 2. HEALTHY CHILDREN AND FAMILIES
2 For promoting the optimum health status for children and

adolescents from birth through 21 years of age, and families,
and for not more than the following full-time equivalent
positions:

| | |
|------------|-----------|
| \$ | 5,817,057 |
| FTEs | 14.00 |

a. Of the funds appropriated in this subsection, not more
than \$734,000 shall be used for the healthy opportunities for
parents to experience success (HOPEs)-healthy families Iowa
(HFI) program established pursuant to section 135.106. The
funding shall be distributed to renew the grants that were
provided to the grantees that operated the program during the
fiscal year ending June 30, 2018.

b. In order to implement the legislative intent stated
in sections 135.106 and 256I.9, priority for home visitation
program funding shall be given to programs using evidence-based
or promising models for home visitation.

c. Of the funds appropriated in this subsection, \$3,075,000
shall be used for continuation of the department's initiative
to provide for adequate developmental surveillance and
screening during a child's first five years. The funds shall
be used first to fully fund the current sites to ensure that
the sites are fully operational, with the remaining funds
to be used for expansion to additional sites. The full
implementation and expansion shall include enhancing the scope
of the initiative through collaboration with the child health
specialty clinics to promote healthy child development through
early identification and response to both biomedical and social
determinants of healthy development; by monitoring child
health metrics to inform practice, document long-term health
impacts and savings, and provide for continuous improvement
through training, education, and evaluation; and by providing
for practitioner consultation particularly for children with
behavioral conditions and needs. The department of public

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health shall also collaborate with the Iowa Medicaid enterprise
and the child health specialty clinics to integrate the
activities of the first five initiative into the establishment
of patient-centered medical homes, community utilities,
accountable care organizations, and other integrated care
models developed to improve health quality and population
health while reducing health care costs. To the maximum extent
possible, funding allocated in this paragraph shall be utilized
as matching funds for medical assistance program reimbursement.

d. Of the funds appropriated in this subsection, \$64,000
shall be distributed to a statewide dental carrier to provide
funds to continue the donated dental services program patterned
after the projects developed by the lifeline network to provide
dental services to indigent individuals who are elderly or with
disabilities.

e. Of the funds appropriated in this subsection, \$156,000

17 shall be used to provide audiological services and hearing aids
18 for children.

19 f. Of the funds appropriated in this subsection, \$23,000 is
20 transferred to the university of Iowa college of dentistry for
21 provision of primary dental services to children. State funds
22 shall be matched on a dollar-for-dollar basis. The university
23 of Iowa college of dentistry shall coordinate efforts with the
24 department of public health, oral and health delivery system
25 bureau, to provide dental care to underserved populations
26 throughout the state.

27 g. Of the funds appropriated in this subsection, \$50,000
28 shall be used to address youth suicide prevention.

29 h. Of the funds appropriated in this subsection, \$40,000
30 shall be used to support the Iowa effort to address the survey
31 of children who experience adverse childhood experiences known
32 as ACEs.

33 i. Of the funds appropriated in this subsection, up to
34 \$494,000 shall be used for childhood obesity prevention.

35 3. CHRONIC CONDITIONS

Page 8

1 For serving individuals identified as having chronic
2 conditions or special health care needs, and for not more than
3 the following full-time equivalent positions:

| | | |
|---------|------|-----------|
| 4 | \$ | 4,223,519 |
| 5 | FTEs | 9.00 |

6 a. Of the funds appropriated in this subsection, \$153,000
7 shall be used for grants to individual patients who have an
8 inherited metabolic disorder to assist with the costs of
9 medically necessary foods and formula.

10 b. Of the funds appropriated in this subsection, \$1,055,000
11 shall be used for the brain injury services program pursuant
12 to section 135.22B, including \$861,000 for contracting with an
13 existing nationally affiliated and statewide organization whose
14 purpose is to educate, serve, and support Iowans with brain
15 injury and their families, for resource facilitator services
16 in accordance with section 135.22B, subsection 9, and for
17 contracting to enhance brain injury training and recruitment
18 of service providers on a statewide basis. Of the amount
19 allocated in this paragraph, \$95,000 shall be used to fund
20 one full-time equivalent position to serve as the state brain
21 injury services program manager.

22 c. Of the funds appropriated in this subsection, \$144,000
23 shall be used for the public purpose of continuing to contract
24 with an existing nationally affiliated organization to provide
25 education, client-centered programs, and client and family
26 support for people living with epilepsy and their families.
27 The amount allocated in this paragraph in excess of \$100,000
28 shall be matched dollar-for-dollar by the organization
29 specified. Funds allocated under this paragraph shall be
30 distributed in their entirety for the purpose specified on July

31 1, 2019.
 32 d. Of the funds appropriated in this subsection, \$809,000
 33 shall be used for child health specialty clinics.
 34 e. Of the funds appropriated in this subsection, \$384,000
 35 shall be used by the regional autism assistance program

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1 established pursuant to section 256.35, and administered by
 2 the child health specialty clinic located at the university of
 3 Iowa hospitals and clinics. The funds shall be used to enhance
 4 interagency collaboration and coordination of educational,
 5 medical, and other human services for persons with autism,
 6 their families, and providers of services, including delivering
 7 regionalized services of care coordination, family navigation,
 8 and integration of services through the statewide system of
 9 regional child health specialty clinics and fulfilling other
 10 requirements as specified in chapter 225D. The university of
 11 Iowa shall not receive funds allocated under this paragraph for
 12 indirect costs associated with the regional autism assistance
 13 program.
 14 f. Of the funds appropriated in this subsection, \$577,000
 15 shall be used for the comprehensive cancer control program to
 16 reduce the burden of cancer in Iowa through prevention, early
 17 detection, effective treatment, and ensuring quality of life.
 18 Of the funds allocated in this paragraph "f", \$150,000 shall
 19 be used to support a melanoma research symposium, a melanoma
 20 biorepository and registry, basic and translational melanoma
 21 research, and clinical trials.
 22 g. Of the funds appropriated in this subsection, \$97,000
 23 shall be used for cervical and colon cancer screening, and
 24 \$177,000 shall be used to enhance the capacity of the cervical
 25 cancer screening program to include provision of recommended
 26 prevention and early detection measures to a broader range of
 27 low-income women.
 28 h. Of the funds appropriated in this subsection, \$506,000
 29 shall be used for the center for congenital and inherited
 30 disorders.

31 4. COMMUNITY CAPACITY

32 For strengthening the health care delivery system at the
 33 local level, and for not more than the following full-time
 34 equivalent positions:

| | | |
|----------|----|-----------|
| 35 | \$ | 5,094,677 |
|----------|----|-----------|

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| | | |
|---------|------|-------|
| 1 | FTEs | 13.00 |
|---------|------|-------|

2 a. Of the funds appropriated in this subsection, \$95,000
 3 is allocated for continuation of the child vision screening
 4 program implemented through the university of Iowa hospitals
 5 and clinics in collaboration with early childhood Iowa areas.
 6 The program shall submit a report to the department regarding

7 the use of funds allocated under this paragraph “a”. The
8 report shall include the objectives and results for the
9 program year including the target population and how the funds
10 allocated assisted the program in meeting the objectives; the
11 number, age, and location within the state of individuals
12 served; the type of services provided to the individuals
13 served; the distribution of funds based on service provided;
14 and the continuing needs of the program.

15 b. Of the funds appropriated in this subsection,
16 \$48,000 shall be used for a grant to a statewide association
17 of psychologists that is affiliated with the American
18 psychological association to be used for continuation of a
19 program to rotate intern psychologists in placements in urban
20 and rural mental health professional shortage areas. For the
21 purposes of this paragraph “b”, “mental health professional
22 shortage area” means a geographic area in this state that has
23 been designated by the United States department of health and
24 human services, health resources and services administration,
25 bureau of health professionals, as having a shortage of mental
26 health professionals.

27 c. Of the funds appropriated in this subsection, the
28 following amounts are allocated to be used as follows
29 to support the goals of increased access, health system
30 integration, and engagement:

31 (1) Not less than \$600,000 is allocated to the Iowa
32 prescription drug corporation for continuation of the
33 pharmaceutical infrastructure for safety net providers as
34 described in 2007 Iowa Acts, chapter 218, section 108, and for
35 the prescription drug donation repository program created in

Page 11

1 chapter 135M. Funds allocated under this subparagraph shall
2 be distributed in their entirety for the purpose specified on
3 July 1, 2019.

4 (2) Not less than \$334,000 is allocated to free clinics and
5 free clinics of Iowa for necessary infrastructure, statewide
6 coordination, provider recruitment, service delivery, and
7 provision of assistance to patients in securing a medical home
8 inclusive of oral health care. Funds allocated under this
9 subparagraph shall be distributed in their entirety for the
10 purpose specified on July 1, 2019.

11 (3) Not less than \$25,000 is allocated to the Iowa
12 association of rural health clinics for necessary
13 infrastructure and service delivery transformation. Funds
14 allocated under this subparagraph shall be distributed in their
15 entirety for the purpose specified on July 1, 2019.

16 (4) Not less than \$225,000 is allocated to the Polk county
17 medical society for continuation of the safety net provider
18 patient access to specialty health care initiative as described
19 in 2007 Iowa Acts, chapter 218, section 109. Funds allocated
20 under this subparagraph shall be distributed in their entirety

21 for the purpose specified on July 1, 2019.
 22 d. Of the funds appropriated in this subsection, \$191,000
 23 is allocated for the purposes of health care and public health
 24 workforce initiatives.
 25 e. Of the funds appropriated in this subsection, \$96,000
 26 shall be used for a matching dental education loan repayment
 27 program to be allocated to a dental nonprofit health service
 28 corporation to continue to develop the criteria and implement
 29 the loan repayment program.
 30 f. Of the funds appropriated in this subsection, \$150,000
 31 shall be used for the purposes of the Iowa donor registry as
 32 specified in section 142C.18.
 33 g. Of the funds appropriated in this subsection, \$96,000
 34 shall be used for continuation of a grant to a nationally
 35 affiliated volunteer eye organization that has an established

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1 program for children and adults and that is solely dedicated to
 2 preserving sight and preventing blindness through education,
 3 nationally certified vision screening and training, and
 4 community and patient service programs. The contractor shall
 5 submit a report to the individuals identified in this Act for
 6 submission of reports regarding the use of funds allocated
 7 under this paragraph “g”. The report shall include the
 8 objectives and results for the program year including the
 9 target population and how the funds allocated assisted the
 10 program in meeting the objectives; the number, age, grade level
 11 if appropriate, and location within the state of individuals
 12 served; the type of services provided to the individuals
 13 served; the distribution of funds based on services provided;
 14 and the continuing needs of the program.

15 h. Of the funds appropriated in this subsection, \$2,000,000
 16 shall be deposited in the medical residency training account
 17 created in section 135.175, subsection 5, paragraph “a”, and
 18 is appropriated from the account to the department of public
 19 health to be used for the purposes of the medical residency
 20 training state matching grants program as specified in section
 21 135.176.

22 i. Of the funds appropriated in this subsection, \$250,000
 23 shall be used for the public purpose of providing funding to
 24 Des Moines university to continue a provider education project
 25 to provide primary care physicians with the training and skills
 26 necessary to recognize the signs of mental illness in patients.

27 5. ESSENTIAL PUBLIC HEALTH SERVICES

28 To provide public health services that reduce risks and
 29 invest in promoting and protecting good health over the
 30 course of a lifetime with a priority given to older Iowans and
 31 vulnerable populations:

32 \$ 7,662,464

33 6. INFECTIOUS DISEASES

34 For reducing the incidence and prevalence of communicable

35 diseases, and for not more than the following full-time

Page 13

1 equivalent positions:
2 \$ 1,796,426
3 FTEs 4.00
4 7. PUBLIC PROTECTION
5 For protecting the health and safety of the public through
6 establishing standards and enforcing regulations, and for not
7 more than the following full-time equivalent positions:
8 \$ 4,093,383
9 FTEs 142.00
10 a. Of the funds appropriated in this subsection, not more
11 than \$304,000 shall be credited to the emergency medical
12 services fund created in section 135.25. Moneys in the
13 emergency medical services fund are appropriated to the
14 department to be used for the purposes of the fund.
15 b. Of the funds appropriated in this subsection, up to
16 to \$243,000 shall be used for sexual violence prevention
17 programming through a statewide organization representing
18 programs serving victims of sexual violence through the
19 department's sexual violence prevention program, and for
20 continuation of a training program for sexual assault
21 response team (SART) members, including representatives of
22 law enforcement, victim advocates, prosecutors, and certified
23 medical personnel. The amount allocated in this paragraph "b"
24 shall not be used to supplant funding administered for other
25 sexual violence prevention or victims assistance programs.
26 c. Of the funds appropriated in this subsection, up to
27 \$500,000 shall be used for the state poison control center.
28 Pursuant to the directive under 2014 Iowa Acts, chapter
29 1140, section 102, the federal matching funds available to
30 the state poison control center from the department of human
31 services under the federal Children's Health Insurance Program
32 Reauthorization Act allotment shall be subject to the federal
33 administrative cap rule of 10 percent applicable to funding
34 provided under Tit. XXI of the federal Social Security Act and
35 included within the department's calculations of the cap.

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1 d. Of the funds appropriated in this subsection, up to
2 \$504,000 shall be used for childhood lead poisoning provisions.
3 8. RESOURCE MANAGEMENT
4 For establishing and sustaining the overall ability of the
5 department to deliver services to the public, and for not more
6 than the following full-time equivalent positions:
7 \$ 971,215
8 FTEs 4.00
9 9. MISCELLANEOUS PROVISIONS
10 The university of Iowa hospitals and clinics under the

11 control of the state board of regents shall not receive
 12 indirect costs from the funds appropriated in this section.
 13 The university of Iowa hospitals and clinics billings to the
 14 department shall be on at least a quarterly basis.

15 DIVISION IV

16 DEPARTMENT OF VETERANS AFFAIRS — FY 2019–2020

17 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
 18 appropriated from the general fund of the state to the
 19 department of veterans affairs for the fiscal year beginning
 20 July 1, 2019, and ending June 30, 2020, the following amounts,
 21 or so much thereof as is necessary, to be used for the purposes
 22 designated:

23 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

24 For salaries, support, maintenance, and miscellaneous
 25 purposes, and for not more than the following full-time
 26 equivalent positions:

| | | |
|----------|------|-----------|
| 27 | \$ | 1,225,500 |
| 28 | FTEs | 15.00 |

29 2. IOWA VETERANS HOME

30 For salaries, support, maintenance, and miscellaneous
 31 purposes:

| | | |
|----------|----|-----------|
| 32 | \$ | 7,162,976 |
|----------|----|-----------|

33 a. The Iowa veterans home billings involving the department
 34 of human services shall be submitted to the department on at
 35 least a monthly basis.

Page 15

1 b. Within available resources and in conformance with
 2 associated state and federal program eligibility requirements,
 3 the Iowa veterans home may implement measures to provide
 4 financial assistance to or on behalf of veterans or their
 5 spouses who are participating in the community reentry program.

6 c. The Iowa veterans home expenditure report shall be
 7 submitted monthly to the legislative services agency.

8 d. The Iowa veterans home shall continue to include in the
 9 annual discharge report applicant information to provide for
 10 the collection of demographic information including but not
 11 limited to the number of individuals applying for admission and
 12 admitted or denied admittance and the basis for the admission
 13 or denial; the age, gender, and race of such individuals;
 14 and the level of care for which such individuals applied for
 15 admission including residential or nursing level of care.

16 3. HOME OWNERSHIP ASSISTANCE PROGRAM

17 For transfer to the Iowa finance authority for the
 18 continuation of the home ownership assistance program for
 19 persons who are or were eligible members of the armed forces of
 20 the United States, pursuant to section 16.54:

| | | |
|----------|----|-----------|
| 21 | \$ | 2,000,000 |
|----------|----|-----------|

22 Sec. 5. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
 23 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
 24 appropriation in section 35A.16 for the fiscal year beginning

25 July 1, 2019, and ending June 30, 2020, the amount appropriated
26 from the general fund of the state pursuant to that section
27 for the following designated purposes shall not exceed the
28 following amount:

29 For the county commissions of veteran affairs fund under
30 section 35A.16:

31 \$ 990,000

32 DIVISION V

33 DEPARTMENT OF HUMAN SERVICES — FY 2019–2020

34 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
35 GRANT. There is appropriated from the fund created in section

Page 16

1 8.41 to the department of human services for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, from moneys
3 received under the federal temporary assistance for needy
4 families (TANF) block grant pursuant to the federal Personal
5 Responsibility and Work Opportunity Reconciliation Act of 1996,
6 Pub. L. No. 104-193, and successor legislation, the following
7 amounts, or so much thereof as is necessary, to be used for the
8 purposes designated:

9 1. To be credited to the family investment program account
10 and used for assistance under the family investment program
11 under chapter 239B:

12 \$ 4,524,006

13 2. To be credited to the family investment program account
14 and used for the job opportunities and basic skills (JOBS)
15 program and implementing family investment agreements in
16 accordance with chapter 239B:

17 \$ 5,412,060

18 3. To be used for the family development and
19 self-sufficiency grant program in accordance with section
20 216A.107:

21 \$ 2,898,980

22 Notwithstanding section 8.33, moneys appropriated in this
23 subsection that remain unencumbered or unobligated at the close
24 of the fiscal year shall not revert but shall remain available
25 for expenditure for the purposes designated until the close of
26 the succeeding fiscal year. However, unless such moneys are
27 encumbered or obligated on or before September 30, 2020, the
28 moneys shall revert.

29 4. For field operations:

30 \$ 31,296,232

31 5. For general administration:

32 \$ 3,744,000

33 6. For state child care assistance:

34 \$ 47,166,826

35 a. Of the funds appropriated in this subsection,

Page 17

1 \$26,205,412 is transferred to the child care and development
 2 block grant appropriation made by the Eighty-eighth General
 3 Assembly, 2019 session, for the federal fiscal year beginning
 4 October 1, 2019, and ending September 30, 2020. Of this
 5 amount, \$200,000 shall be used for provision of educational
 6 opportunities to registered child care home providers in order
 7 to improve services and programs offered by this category
 8 of providers and to increase the number of providers. The
 9 department may contract with institutions of higher education
 10 or child care resource and referral centers to provide
 11 the educational opportunities. Allowable administrative
 12 costs under the contracts shall not exceed 5 percent. The
 13 application for a grant shall not exceed two pages in length.
 14 b. Any funds appropriated in this subsection remaining
 15 unallocated shall be used for state child care assistance
 16 payments for families who are employed including but not
 17 limited to individuals enrolled in the family investment
 18 program.

19 7. For child and family services:
 20 \$ 32,380,654

21 8. For child abuse prevention grants:
 22 \$ 125,000

23 9. For pregnancy prevention grants on the condition that
 24 family planning services are funded:
 25 \$ 1,913,203

26 Pregnancy prevention grants shall be awarded to programs
 27 in existence on or before July 1, 2019, if the programs have
 28 demonstrated positive outcomes. Grants shall be awarded to
 29 pregnancy prevention programs which are developed after July
 30 1, 2019, if the programs are based on existing models that
 31 have demonstrated positive outcomes. Grants shall comply with
 32 the requirements provided in 1997 Iowa Acts, chapter 208,
 33 section 14, subsections 1 and 2, including the requirement that
 34 grant programs must emphasize sexual abstinence. Priority in
 35 the awarding of grants shall be given to programs that serve

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1 areas of the state which demonstrate the highest percentage of
 2 unplanned pregnancies of females of childbearing age within the
 3 geographic area to be served by the grant.

4 10. For technology needs and other resources necessary
 5 to meet federal welfare reform reporting, tracking, and case
 6 management requirements:
 7 \$ 1,037,186

8 11. a. Notwithstanding any provision to the contrary,
 9 including but not limited to requirements in section 8.41 or
 10 provisions in 2018 Iowa Acts or 2019 Iowa Acts regarding the
 11 receipt and appropriation of federal block grants, federal
 12 funds from the temporary assistance for needy families block

13 grant received by the state and not otherwise appropriated
14 in this section and remaining available for the fiscal year
15 beginning July 1, 2019, are appropriated to the department of
16 human services to the extent as may be necessary to be used in
17 the following priority order: the family investment program,
18 for state child care assistance program payments for families
19 who are employed, and for the family investment program share
20 of system costs for eligibility determination and related
21 functions. The federal funds appropriated in this paragraph
22 “a” shall be expended only after all other funds appropriated
23 in subsection 1 for assistance under the family investment
24 program, in subsection 6 for state child care assistance, or
25 in subsection 10 for technology costs related to the family
26 investment program, as applicable, have been expended. For
27 the purposes of this subsection, the funds appropriated in
28 subsection 6, paragraph “a”, for transfer to the child care
29 and development block grant appropriation are considered fully
30 expended when the full amount has been transferred.
31 b. The department shall, on a quarterly basis, advise the
32 legislative services agency and department of management of
33 the amount of funds appropriated in this subsection that was
34 expended in the prior quarter.
35 12. Of the amounts appropriated in this section,

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1 \$12,962,008 for the fiscal year beginning July 1, 2019, is
2 transferred to the appropriation of the federal social services
3 block grant made to the department of human services for that
4 fiscal year.
5 13. For continuation of the program providing categorical
6 eligibility for the food assistance program as specified
7 for the program in the section of this division of this Act
8 relating to the family investment program account:
9 \$ 14,236
10 14. The department may transfer funds allocated in this
11 section to the appropriations made in this division of this Act
12 for the same fiscal year for general administration and field
13 operations for resources necessary to implement and operate the
14 services referred to in this section and those funded in the
15 appropriation made in this division of this Act for the same
16 fiscal year for the family investment program from the general
17 fund of the state.
18 15. With the exception of moneys allocated under this
19 section for the family development and self-sufficiency grant
20 program, to the extent moneys allocated in this section are
21 deemed by the department not to be necessary to support the
22 purposes for which they are allocated, such moneys may be
23 used in the same fiscal year for any other purpose for which
24 funds are allocated in this section or in section 8 of this
25 division for the family investment program account. If there
26 are conflicting needs, priority shall first be given to the

27 family investment program account as specified under subsection
 28 1 of this section and used for the purposes of assistance under
 29 the family investment program in accordance with chapter 239B,
 30 followed by state child care assistance program payments for
 31 families who are employed, followed by other priorities as
 32 specified by the department.
 33 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.
 34 1. Moneys credited to the family investment program (FIP)
 35 account for the fiscal year beginning July 1, 2019, and

Page 20

1 ending June 30, 2020, shall be used to provide assistance in
 2 accordance with chapter 239B.
 3 2. The department may use a portion of the moneys credited
 4 to the FIP account under this section as necessary for
 5 salaries, support, maintenance, and miscellaneous purposes.
 6 3. The department may transfer funds allocated in
 7 subsection 4, excluding the allocation under subsection 4,
 8 paragraph "b", to the appropriations made in this division of
 9 this Act for the same fiscal year for general administration
 10 and field operations for resources necessary to implement
 11 and operate the services referred to in this section and
 12 those funded in the appropriations made in section 7 for the
 13 temporary assistance for needy families block grant and in
 14 section 9 for the family investment program from the general
 15 fund of the state in this division of this Act for the same
 16 fiscal year.
 17 4. Moneys appropriated in this division of this Act and
 18 credited to the FIP account for the fiscal year beginning July
 19 1, 2019, and ending June 30, 2020, are allocated as follows:
 20 a. To be retained by the department of human services to
 21 be used for coordinating with the department of human rights
 22 to more effectively serve participants in FIP and other shared
 23 clients and to meet federal reporting requirements under the
 24 federal temporary assistance for needy families block grant:
 25 \$ 20,000
 26 b. To the department of human rights for staffing,
 27 administration, and implementation of the family development
 28 and self-sufficiency grant program in accordance with section
 29 216A.107:
 30 \$ 6,192,834
 31 (1) Of the funds allocated for the family development
 32 and self-sufficiency grant program in this paragraph "b",
 33 not more than 5 percent of the funds shall be used for the
 34 administration of the grant program.
 35 (2) The department of human rights may continue to implement

Page 21

1 the family development and self-sufficiency grant program
 2 statewide during fiscal year 2019–2020.

3 (3) The department of human rights may engage in activities
4 to strengthen and improve family outcomes measures and
5 data collection systems under the family development and
6 self-sufficiency grant program.

7 c. For the diversion subaccount of the FIP account:
8 \$ 815,000

9 A portion of the moneys allocated for the diversion
10 subaccount may be used for field operations, salaries, data
11 management system development, and implementation costs and
12 support deemed necessary by the director of human services
13 in order to administer the FIP diversion program. To the
14 extent moneys allocated in this paragraph "c" are deemed by the
15 department not to be necessary to support diversion activities,
16 such moneys may be used for other efforts intended to increase
17 engagement by family investment program participants in work,
18 education, or training activities, or for the purposes of
19 assistance under the family investment program in accordance
20 with chapter 239B.

21 d. For the food assistance employment and training program:
22 \$ 66,588

23 (1) The department shall apply the federal supplemental
24 nutrition assistance program (SNAP) employment and training
25 state plan in order to maximize to the fullest extent permitted
26 by federal law the use of the 50 percent federal reimbursement
27 provisions for the claiming of allowable federal reimbursement
28 funds from the United States department of agriculture
29 pursuant to the federal SNAP employment and training program
30 for providing education, employment, and training services
31 for eligible food assistance program participants, including
32 but not limited to related dependent care and transportation
33 expenses.

34 (2) The department shall continue the categorical federal
35 food assistance program eligibility at 160 percent of the

Page 22

1 federal poverty level and continue to eliminate the asset test
2 from eligibility requirements, consistent with federal food
3 assistance program requirements. The department shall include
4 as many food assistance households as is allowed by federal
5 law. The eligibility provisions shall conform to all federal
6 requirements including requirements addressing individuals who
7 are incarcerated or otherwise ineligible.

8 e. For the JOBS program:
9 \$ 12,018,258

10 5. Of the child support collections assigned under FIP,
11 an amount equal to the federal share of support collections
12 shall be credited to the child support recovery appropriation
13 made in this division of this Act. Of the remainder of the
14 assigned child support collections received by the child
15 support recovery unit, a portion shall be credited to the FIP
16 account, a portion may be used to increase recoveries, and a

17 portion may be used to sustain cash flow in the child support
 18 payments account. If as a consequence of the appropriations
 19 and allocations made in this section the resulting amounts
 20 are insufficient to sustain cash assistance payments and meet
 21 federal maintenance of effort requirements, the department
 22 shall seek supplemental funding. If child support collections
 23 assigned under FIP are greater than estimated or are otherwise
 24 determined not to be required for maintenance of effort, the
 25 state share of either amount may be transferred to or retained
 26 in the child support payments account.

27 6. The department may adopt emergency rules for the family
 28 investment, JOBS, food assistance, and medical assistance
 29 programs if necessary to comply with federal requirements.

30 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
 31 is appropriated from the general fund of the state to the
 32 department of human services for the fiscal year beginning July
 33 1, 2019, and ending June 30, 2020, the following amount, or
 34 so much thereof as is necessary, to be used for the purpose
 35 designated:

Page 23

1 To be credited to the family investment program (FIP)
 2 account and used for family investment program assistance under
 3 chapter 239B:

4 \$ 40,365,037

5 1. Of the funds appropriated in this section, \$6,606,198 is
 6 allocated for the JOBS program.

7 2. Of the funds appropriated in this section, \$3,313,854 is
 8 allocated for the family development and self-sufficiency grant
 9 program.

10 3. a. Notwithstanding section 8.39, for the fiscal
 11 year beginning July 1, 2019, if necessary to meet federal
 12 maintenance of effort requirements or to transfer federal
 13 temporary assistance for needy families block grant funding
 14 to be used for purposes of the federal social services block
 15 grant or to meet cash flow needs resulting from delays in
 16 receiving federal funding or to implement, in accordance with
 17 this division of this Act, activities currently funded with
 18 juvenile court services, county, or community moneys and state
 19 moneys used in combination with such moneys; to comply with
 20 federal requirements; or to maximize the use of federal funds;
 21 the department of human services may transfer funds within or
 22 between any of the appropriations made in this division of this
 23 Act and appropriations in law for the federal social services
 24 block grant to the department for the following purposes,
 25 provided that the combined amount of state and federal
 26 temporary assistance for needy families block grant funding
 27 for each appropriation remains the same before and after the
 28 transfer:

29 (1) For the family investment program.

30 (2) For state child care assistance.

- 31 (3) For child and family services.
- 32 (4) For field operations.
- 33 (5) For general administration.
- 34 b. This subsection shall not be construed to prohibit the
- 35 use of existing state transfer authority for other purposes.

Page 24

- 1 The department shall report any transfers made pursuant to this
- 2 subsection to the legislative services agency.
- 3 4. Of the funds appropriated in this section, \$195,000 shall
- 4 be used for continuation of a grant to an Iowa-based nonprofit
- 5 organization with a history of providing tax preparation
- 6 assistance to low-income Iowans in order to expand the usage of
- 7 the earned income tax credit. The purpose of the grant is to
- 8 supply this assistance to underserved areas of the state.
- 9 5. Of the funds appropriated in this section, \$70,000 shall
- 10 be used for the continuation of the parenting program, as
- 11 specified in 441 IAC ch. 100, relating to parental obligations,
- 12 in which the child support recovery unit participates, to
- 13 support the efforts of a nonprofit organization committed
- 14 to strengthening the community through youth development,
- 15 healthy living, and social responsibility headquartered in
- 16 a county with a population over 350,000 according to the
- 17 latest certified federal census. The funds allocated in this
- 18 subsection shall be used by the recipient organization to
- 19 develop a larger community effort, through public and private
- 20 partnerships, to support a broad-based multi-county parenthood
- 21 initiative that promotes payment of child support obligations,
- 22 improved family relationships, and full-time employment.
- 23 6. The department may transfer funds appropriated in this
- 24 section, excluding the allocation in subsection 2 for the
- 25 family development and self-sufficiency grant program, to the
- 26 appropriations made in this division of this Act for general
- 27 administration and field operations as necessary to administer
- 28 this section, section 7 for the temporary assistance for needy
- 29 families block grant, and section 8 for the family investment
- 30 program account.
- 31 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
- 32 from the general fund of the state to the department of human
- 33 services for the fiscal year beginning July 1, 2019, and ending
- 34 June 30, 2020, the following amount, or so much thereof as is
- 35 necessary, to be used for the purposes designated:

Page 25

- 1 For child support recovery, including salaries, support,
- 2 maintenance, and miscellaneous purposes, and for not more than
- 3 the following full-time equivalent positions:
- 4 \$ 14,749,368
- 5 FTEs 459.00
- 6 1. The department shall expend up to \$24,000, including

7 federal financial participation, for the fiscal year beginning
8 July 1, 2019, for a child support public awareness campaign.
9 The department and the office of the attorney general shall
10 cooperate in continuation of the campaign. The public
11 awareness campaign shall emphasize, through a variety of
12 media activities, the importance of maximum involvement of
13 both parents in the lives of their children as well as the
14 importance of payment of child support obligations.

15 2. Federal access and visitation grant moneys shall be
16 issued directly to private not-for-profit agencies that provide
17 services designed to increase compliance with the child access
18 provisions of court orders, including but not limited to
19 neutral visitation sites and mediation services.

20 3. The appropriation made to the department for child
21 support recovery may be used throughout the fiscal year in the
22 manner necessary for purposes of cash flow management, and for
23 cash flow management purposes the department may temporarily
24 draw more than the amount appropriated, provided the amount
25 appropriated is not exceeded at the close of the fiscal year.

26 Sec. 10. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
27 FY 2019–2020. Any funds remaining in the health care trust
28 fund created in section 453A.35A for the fiscal year beginning
29 July 1, 2019, and ending June 30, 2020, are appropriated to
30 the department of human services to supplement the medical
31 assistance program appropriations made in this division of this
32 Act, for medical assistance reimbursement and associated costs,
33 including program administration and costs associated with
34 program implementation.

35 Sec. 11. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY

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1 2019–2020. Any funds remaining in the Medicaid fraud fund
2 created in section 249A.50 for the fiscal year beginning
3 July 1, 2019, and ending June 30, 2020, are appropriated to
4 the department of human services to supplement the medical
5 assistance appropriations made in this division of this Act,
6 for medical assistance reimbursement and associated costs,
7 including program administration and costs associated with
8 program implementation.

9 Sec. 12. MEDICAL ASSISTANCE. There is appropriated from the
10 general fund of the state to the department of human services
11 for the fiscal year beginning July 1, 2019, and ending June 30,
12 2020, the following amount, or so much thereof as is necessary,
13 to be used for the purpose designated:

14 For medical assistance program reimbursement and associated
15 costs as specifically provided in the reimbursement
16 methodologies in effect on June 30, 2019, except as otherwise
17 expressly authorized by law, consistent with options under
18 federal law and regulations, and contingent upon receipt of
19 approval from the office of the governor of reimbursement for
20 each abortion performed under the program:

21 \$ 1,425,334,812
22 1. Iowans support reducing the number of abortions
23 performed in our state. Funds appropriated under this section
24 shall not be used for abortions, unless otherwise authorized
25 under this section.
26 2. The provisions of this section relating to abortions
27 shall also apply to the Iowa health and wellness plan created
28 pursuant to chapter 249N.
29 3. The department shall utilize not more than \$60,000 of
30 the funds appropriated in this section to continue the AIDS/HIV
31 health insurance premium payment program as established in 1992
32 Iowa Acts, Second Extraordinary Session, chapter 1001, section
33 409, subsection 6. Of the funds allocated in this subsection,
34 not more than \$5,000 may be expended for administrative
35 purposes.

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1 4. Of the funds appropriated in this Act to the department
2 of public health for addictive disorders, \$950,000 for
3 the fiscal year beginning July 1, 2019, is transferred
4 to the department of human services for an integrated
5 substance-related disorder managed care system. The
6 departments of human services and public health shall
7 work together to maintain the level of mental health and
8 substance-related disorder treatment services provided by the
9 managed care contractors. Each department shall take the steps
10 necessary to continue the federal waivers as necessary to
11 maintain the level of services.
12 5.a. The department shall aggressively pursue options for
13 providing medical assistance or other assistance to individuals
14 with special needs who become ineligible to continue receiving
15 services under the early and periodic screening, diagnostic,
16 and treatment program under the medical assistance program
17 due to becoming 21 years of age who have been approved for
18 additional assistance through the department's exception to
19 policy provisions, but who have health care needs in excess
20 of the funding available through the exception to policy
21 provisions.
22 b. Of the funds appropriated in this section, \$100,000
23 shall be used for participation in one or more pilot projects
24 operated by a private provider to allow the individual or
25 individuals to receive service in the community in accordance
26 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
27 (1999), for the purpose of providing medical assistance or
28 other assistance to individuals with special needs who become
29 ineligible to continue receiving services under the early and
30 periodic screening, diagnostic, and treatment program under
31 the medical assistance program due to becoming 21 years of
32 age who have been approved for additional assistance through
33 the department's exception to policy provisions, but who have
34 health care needs in excess of the funding available through

35 the exception to the policy provisions.

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1 6. Of the funds appropriated in this section, up to
2 \$3,050,082 may be transferred to the field operations or
3 general administration appropriations in this division of this
4 Act for operational costs associated with Part D of the federal
5 Medicare Prescription Drug Improvement and Modernization Act
6 of 2003, Pub. L. No. 108-173.

7 7. Of the funds appropriated in this section, up to \$442,100
8 may be transferred to the appropriation in this division
9 of this Act for medical contracts to be used for clinical
10 assessment services and prior authorization of services.

11 8. A portion of the funds appropriated in this section
12 may be transferred to the appropriations in this division of
13 this Act for general administration, medical contracts, the
14 children's health insurance program, or field operations to be
15 used for the state match cost to comply with the payment error
16 rate measurement (PERM) program for both the medical assistance
17 and children's health insurance programs as developed by the
18 centers for Medicare and Medicaid services of the United States
19 department of health and human services to comply with the
20 federal Improper Payments Information Act of 2002, Pub. L.
21 No. 107-300, and to support other reviews and quality control
22 activities to improve the integrity of these programs.

23 9. The department shall continue to implement the
24 recommendations of the assuring better child health and
25 development initiative II (ABCDII) clinical panel to the
26 Iowa early and periodic screening, diagnostic, and treatment
27 services healthy mental development collaborative board
28 regarding changes to billing procedures, codes, and eligible
29 service providers.

30 10. Of the funds appropriated in this section, a sufficient
31 amount is allocated to supplement the incomes of residents of
32 nursing facilities, intermediate care facilities for persons
33 with mental illness, and intermediate care facilities for
34 persons with an intellectual disability, with incomes of less
35 than \$50 in the amount necessary for the residents to receive a

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1 personal needs allowance of \$50 per month pursuant to section
2 249A.30A.

3 11. a. Hospitals that meet the conditions specified
4 in subparagraphs (1) and (2) shall either certify public
5 expenditures or transfer to the medical assistance program
6 an amount equal to provide the nonfederal share for a
7 disproportionate share hospital payment in an amount up to the
8 hospital-specific limit as approved in the Medicaid state plan.
9 The hospitals that meet the conditions specified shall receive
10 and retain 100 percent of the total disproportionate share

11 hospital payment in an amount up to the hospital-specific limit
12 as approved in the Medicaid state plan.
13 (1) The hospital qualifies for disproportionate share and
14 graduate medical education payments.
15 (2) The hospital is an Iowa state-owned hospital with more
16 than 500 beds and eight or more distinct residency specialty
17 or subspecialty programs recognized by the American college of
18 graduate medical education.
19 b. Distribution of the disproportionate share payments
20 shall be made on a monthly basis. The total amount of
21 disproportionate share payments including graduate medical
22 education, enhanced disproportionate share, and Iowa
23 state-owned teaching hospital payments shall not exceed the
24 amount of the state's allotment under Pub. L. No. 102-234.
25 In addition, the total amount of all disproportionate
26 share payments shall not exceed the hospital-specific
27 disproportionate share limits under Pub. L. No. 103-66.
28 12. One hundred percent of the nonfederal share of payments
29 to area education agencies that are medical assistance
30 providers for medical assistance-covered services provided to
31 medical assistance-covered children, shall be made from the
32 appropriation made in this section.
33 13. A portion of the funds appropriated in this section
34 may be transferred to the appropriation in this division of
35 this Act for medical contracts to be used for administrative

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1 activities associated with the money follows the person
2 demonstration project.
3 14. Of the funds appropriated in this section, \$349,011
4 shall be used for the administration of the health insurance
5 premium payment program, including salaries, support,
6 maintenance, and miscellaneous purposes.
7 15. a. The department may increase the amounts allocated
8 for salaries, support, maintenance, and miscellaneous purposes
9 associated with the medical assistance program, as necessary,
10 to sustain cost management efforts. The department shall
11 report any such increase to the legislative services agency and
12 the department of management.
13 b. If the savings to the medical assistance program from
14 ongoing cost management efforts exceed the associated cost
15 for the fiscal year beginning July 1, 2019, the department
16 may transfer any savings generated for the fiscal year due
17 to medical assistance program cost management efforts to the
18 appropriation made in this division of this Act for medical
19 contracts or general administration to defray the costs
20 associated with implementing the efforts.
21 16. For the fiscal year beginning July 1, 2019, and ending
22 June 30, 2020, the replacement generation tax revenues required
23 to be deposited in the property tax relief fund pursuant to
24 section 437A.8, subsection 4, paragraph "d", and section

25 437A.15, subsection 3, paragraph “f”, shall instead be credited
26 to and supplement the appropriation made in this section and
27 used for the allocations made in this section.

28 17. a. Of the funds appropriated in this section, up
29 to \$50,000 may be transferred by the department to the
30 appropriation made in this division of this Act to the
31 department for the same fiscal year for general administration
32 to be used for associated administrative expenses and for not
33 more than one full-time equivalent position, in addition to
34 those authorized for the same fiscal year, to be assigned to
35 implementing the children’s mental health home project.

Page 31

1 b. Of the funds appropriated in this section, up to \$400,000
2 may be transferred by the department to the appropriation made
3 to the department in this division of this Act for the same
4 fiscal year for Medicaid program-related general administration
5 planning and implementation activities. The funds may be used
6 for contracts or for personnel in addition to the amounts
7 appropriated for and the positions authorized for general
8 administration for the fiscal year.

9 c. Of the funds appropriated in this section, up to
10 \$3,000,000 may be transferred by the department to the
11 appropriations made in this division of this Act for the same
12 fiscal year for general administration or medical contracts
13 to be used to support the development and implementation of
14 standardized assessment tools for persons with mental illness,
15 an intellectual disability, a developmental disability, or a
16 brain injury.

17 18. Of the funds appropriated in this section, \$150,000
18 shall be used for lodging expenses associated with care
19 provided at the university of Iowa hospitals and clinics for
20 patients with cancer whose travel distance is 30 miles or more
21 and whose income is at or below 200 percent of the federal
22 poverty level as defined by the most recently revised poverty
23 income guidelines published by the United States department of
24 health and human services. The department of human services
25 shall establish the maximum number of overnight stays and the
26 maximum rate reimbursed for overnight lodging, which may be
27 based on the state employee rate established by the department
28 of administrative services. The funds allocated in this
29 subsection shall not be used as nonfederal share matching
30 funds.

31 19. Of the funds appropriated in this section, up to
32 \$3,383,880 shall be used for administration of the state family
33 planning services program pursuant to section 217.41B, and
34 of this amount, the department may use up to \$200,000 for
35 administrative expenses.

Page 32

1 20. Of the funds appropriated in this section, \$1,545,530
2 shall be used and may be transferred to other appropriations
3 in this division of this Act as necessary to administer the
4 provisions in the division of this Act relating to Medicaid
5 program administration.

6 21. The department shall continue to implement and
7 administer the provisions of 2018 Iowa Acts, chapter 1056.
8 Of the funds appropriated in this section, up to \$39,069 may
9 be transferred to the department of inspections and appeals
10 for inspection costs related to such implementation and
11 administration.

12 22. Of the funds appropriated in this section, up to
13 \$1,200,000 shall be used to implement reductions in the waiting
14 list for the children's mental health home and community-based
15 services waiver.

16 23. The department of human services shall utilize
17 \$1,000,000 of the funds appropriated under this section to
18 increase the current supported community living provider daily
19 rate cells for all tiers under the tiered rate reimbursement
20 methodology effective with dates of service beginning July 1,
21 2019.

22 Sec. 13. MEDICAL CONTRACTS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2019, and ending June 30,
25 2020, the following amount, or so much thereof as is necessary,
26 to be used for the purpose designated:

27 For medical contracts:
28 \$ 17,992,530

29 1. The department of inspections and appeals shall
30 provide all state matching funds for survey and certification
31 activities performed by the department of inspections
32 and appeals. The department of human services is solely
33 responsible for distributing the federal matching funds for
34 such activities.

35 2. Of the funds appropriated in this section, \$50,000 shall

Page 33

1 be used for continuation of home and community-based services
2 waiver quality assurance programs, including the review and
3 streamlining of processes and policies related to oversight and
4 quality management to meet state and federal requirements.

5 3. Of the amount appropriated in this section, up to
6 \$200,000 may be transferred to the appropriation for general
7 administration in this division of this Act to be used for
8 additional full-time equivalent positions in the development
9 of key health initiatives such as development and oversight
10 of managed care programs and development of health strategies
11 targeted toward improved quality and reduced costs in the
12 Medicaid program.

13 4. Of the funds appropriated in this section, \$1,000,000
 14 shall be used for planning and development, in cooperation with
 15 the department of public health, of a phased-in program to
 16 provide a dental home for children.

17 5. a. Of the funds appropriated in this section, \$573,000
 18 shall be credited to the autism support program fund created
 19 in section 225D.2 to be used for the autism support program
 20 created in chapter 225D.

21 b. Of the funds allocated in this subsection, \$25,000 shall
 22 be used for the public purpose of continuation of a grant to a
 23 nonprofit provider of child welfare services that has been in
 24 existence for more than 115 years, is located in a county with
 25 a population between 200,000 and 220,000 according to the most
 26 recent federal decennial census, is licensed as a psychiatric
 27 medical institution for children, and provides school-based
 28 programming, to be used for support services for children with
 29 autism spectrum disorder and their families.

30 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

31 1. There is appropriated from the general fund of the
 32 state to the department of human services for the fiscal year
 33 beginning July 1, 2019, and ending June 30, 2020, the following
 34 amount, or so much thereof as is necessary, to be used for the
 35 purpose designated:

Page 34

| | | |
|----|---|--------------|
| 1 | For the state supplementary assistance program: | |
| 2 | ..... | \$ 7,812,909 |
| 3 | 2. The department shall increase the personal needs | |
| 4 | allowance for residents of residential care facilities by the | |
| 5 | same percentage and at the same time as federal supplemental | |
| 6 | security income and federal social security benefits are | |
| 7 | increased due to a recognized increase in the cost of living. | |
| 8 | The department may adopt emergency rules to implement this | |
| 9 | subsection. | |
| 10 | 3. If during the fiscal year beginning July 1, 2019, | |
| 11 | the department projects that state supplementary assistance | |
| 12 | expenditures for a calendar year will not meet the federal | |
| 13 | pass-through requirement specified in Tit. XVI of the federal | |
| 14 | Social Security Act, section 1618, as codified in 42 U.S.C. | |
| 15 | §1382g, the department may take actions including but not | |
| 16 | limited to increasing the personal needs allowance for | |
| 17 | residential care facility residents and making programmatic | |
| 18 | adjustments or upward adjustments of the residential care | |
| 19 | facility or in-home health-related care reimbursement rates | |
| 20 | prescribed in this division of this Act to ensure that federal | |
| 21 | requirements are met. In addition, the department may make | |
| 22 | other programmatic and rate adjustments necessary to remain | |
| 23 | within the amount appropriated in this section while ensuring | |
| 24 | compliance with federal requirements. The department may adopt | |
| 25 | emergency rules to implement the provisions of this subsection. | |
| 26 | 4. Notwithstanding section 8.33, moneys appropriated in | |

27 this section that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure for the purposes designated until the
30 close of the succeeding fiscal year.
31 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.
32 1. There is appropriated from the general fund of the
33 state to the department of human services for the fiscal year
34 beginning July 1, 2019, and ending June 30, 2020, the following
35 amount, or so much thereof as is necessary, to be used for the

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1 purpose designated:
2 For maintenance of the healthy and well kids in Iowa (hawk-i)
3 program pursuant to chapter 514I, including supplemental dental
4 services, for receipt of federal financial participation under
5 Tit. XXI of the federal Social Security Act, which creates the
6 children's health insurance program:
7 \$ 19,361,112
8 2. Of the funds appropriated in this section, \$79,486 is
9 allocated for continuation of the contract for outreach with
10 the department of public health.
11 3. A portion of the funds appropriated in this section may
12 be transferred to the appropriations made in this division of
13 this Act for field operations or medical contracts to be used
14 for the integration of hawk-i program eligibility, payment, and
15 administrative functions under the purview of the department
16 of human services, including for the Medicaid management
17 information system upgrade.
18 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2019, and ending
21 June 30, 2020, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:
23 For child care programs:
24 \$ 40,816,931
25 1. Of the funds appropriated in this section, \$34,966,931
26 shall be used for state child care assistance in accordance
27 with section 237A.13.
28 2. Nothing in this section shall be construed or is
29 intended as or shall imply a grant of entitlement for services
30 to persons who are eligible for assistance due to an income
31 level consistent with the waiting list requirements of section
32 237A.13. Any state obligation to provide services pursuant to
33 this section is limited to the extent of the funds appropriated
34 in this section.
35 3. A list of the registered and licensed child care

Page 36

1 facilities operating in the area served by a child care
2 resource and referral service shall be made available to the

3 families receiving state child care assistance in that area.

4 4. Of the funds appropriated in this section, \$5,850,000
5 shall be credited to the early childhood programs grants
6 account in the early childhood Iowa fund created in section
7 256I.11. The moneys shall be distributed for funding of
8 community-based early childhood programs targeted to children
9 from birth through five years of age developed by early
10 childhood Iowa areas in accordance with approved community
11 plans as provided in section 256I.8.

12 5. The department may use any of the funds appropriated
13 in this section as a match to obtain federal funds for use in
14 expanding child care assistance and related programs. For
15 the purpose of expenditures of state and federal child care
16 funding, funds shall be considered obligated at the time
17 expenditures are projected or are allocated to the department's
18 service areas. Projections shall be based on current and
19 projected caseload growth, current and projected provider
20 rates, staffing requirements for eligibility determination
21 and management of program requirements including data systems
22 management, staffing requirements for administration of the
23 program, contractual and grant obligations and any transfers
24 to other state agencies, and obligations for decategorization
25 or innovation projects.

26 6. A portion of the state match for the federal child care
27 and development block grant shall be provided as necessary to
28 meet federal matching funds requirements through the state
29 general fund appropriation made for child development grants
30 and other programs for at-risk children in section 279.51.

31 7. If a uniform reduction ordered by the governor under
32 section 8.31 or other operation of law, transfer, or federal
33 funding reduction reduces the appropriation made in this
34 section for the fiscal year, the percentage reduction in the
35 amount paid out to or on behalf of the families participating

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1 in the state child care assistance program shall be equal to or
2 less than the percentage reduction made for any other purpose
3 payable from the appropriation made in this section and the
4 federal funding relating to it. The percentage reduction to
5 the other allocations made in this section shall be the same as
6 the uniform reduction ordered by the governor or the percentage
7 change of the federal funding reduction, as applicable. If
8 there is an unanticipated increase in federal funding provided
9 for state child care services, the entire amount of the
10 increase, except as necessary to meet federal requirements
11 including quality set asides, shall be used for state child
12 care assistance payments. If the appropriations made for
13 purposes of the state child care assistance program for the
14 fiscal year are determined to be insufficient, it is the intent
15 of the general assembly to appropriate sufficient funding for
16 the fiscal year in order to avoid establishment of waiting list

17 requirements.

18 8. Notwithstanding section 8.33, moneys advanced for
19 purposes of the programs developed by early childhood Iowa
20 areas, advanced for purposes of wraparound child care, or
21 received from the federal appropriations made for the purposes
22 of this section that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert to any fund but shall
24 remain available for expenditure for the purposes designated
25 until the close of the succeeding fiscal year.

26 Sec. 17. JUVENILE INSTITUTION. There is appropriated
27 from the general fund of the state to the department of human
28 services for the fiscal year beginning July 1, 2019, and ending
29 June 30, 2020, the following amounts, or so much thereof as is
30 necessary, to be used for the purposes designated:

- 31 1. a. For operation of the state training school at Eldora
32 and for salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:
35 \$ 13,920,757

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1 FTEs 207.00

2 b. Of the funds appropriated in this subsection, \$91,000
3 shall be used for distribution to licensed classroom teachers
4 at this and other institutions under the control of the
5 department of human services based upon the average student
6 yearly enrollment at each institution as determined by the
7 department.

8 c. The additional full-time equivalent positions authorized
9 in paragraph “a” shall include 1.00 youth services technician,
10 1.00 clinical supervisor, and 1.00 registered nurse, or
11 comparable additional, full-time equivalent positions.

12 2. A portion of the moneys appropriated in this section
13 shall be used by the state training school at Eldora for
14 grants for adolescent pregnancy prevention activities at the
15 institution in the fiscal year beginning July 1, 2019.

16 3. Of the funds appropriated in this subsection, \$212,000
17 shall be used by the state training school at Eldora for a
18 substance use disorder treatment program at the institution for
19 the fiscal year beginning July 1, 2019.

20 4. Notwithstanding section 8.33, moneys appropriated in
21 this section 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 Sec. 18. CHILD AND FAMILY SERVICES.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2019, and ending June 30, 2020, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For child and family services:
 32 \$ 89,071,761
 33 2. The department may transfer funds appropriated in this
 34 section as necessary to pay the nonfederal costs of services
 35 reimbursed under the medical assistance program, state child

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1 care assistance program, or the family investment program which
 2 are provided to children who would otherwise receive services
 3 paid under the appropriation in this section. The department
 4 may transfer funds appropriated in this section to the
 5 appropriations made in this division of this Act for general
 6 administration and for field operations for resources necessary
 7 to implement and operate the services funded in this section.
 8 3. a. Of the funds appropriated in this section, up to
 9 \$34,536,000 is allocated as the statewide expenditure target
 10 under section 232.143 for group foster care maintenance and
 11 services. If the department projects that such expenditures
 12 for the fiscal year will be less than the target amount
 13 allocated in this paragraph “a”, the department may reallocate
 14 the excess to provide additional funding for family foster
 15 care, independent living, family safety, risk and permanency
 16 services, shelter care, or the child welfare emergency services
 17 addressed with the allocation for shelter care.
 18 b. If at any time after September 30, 2019, annualization
 19 of a service area’s current expenditures indicates a service
 20 area is at risk of exceeding its group foster care expenditure
 21 target under section 232.143 by more than 5 percent, the
 22 department and juvenile court services shall examine all
 23 group foster care placements in that service area in order to
 24 identify those which might be appropriate for termination.
 25 In addition, any aftercare services believed to be needed
 26 for the children whose placements may be terminated shall be
 27 identified. The department and juvenile court services shall
 28 initiate action to set dispositional review hearings for the
 29 placements identified. In such a dispositional review hearing,
 30 the juvenile court shall determine whether needed aftercare
 31 services are available and whether termination of the placement
 32 is in the best interest of the child and the community.
 33 4. In accordance with the provisions of section 232.188,
 34 the department shall continue the child welfare and juvenile
 35 justice funding initiative during fiscal year 2019–2020. Of

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1 the funds appropriated in this section, \$1,717,000 is allocated
 2 specifically for expenditure for fiscal year 2019–2020 through
 3 the decategorization services funding pools and governance
 4 boards established pursuant to section 232.188.
 5 5. A portion of the funds appropriated in this section
 6 may be used for emergency family assistance to provide other

7 resources required for a family participating in a family
8 preservation or reunification project or successor project to
9 stay together or to be reunified.

10 6. Of the funds appropriated in this section, a sufficient
11 amount is allocated for shelter care and the child welfare
12 emergency services contracting implemented to provide for or
13 prevent the need for shelter care.

14 7. Federal funds received by the state during the fiscal
15 year beginning July 1, 2019, as the result of the expenditure
16 of state funds appropriated during a previous state fiscal
17 year for a service or activity funded under this section are
18 appropriated to the department to be used as additional funding
19 for services and purposes provided for under this section.
20 Notwithstanding section 8.33, moneys received in accordance
21 with this subsection that remain unencumbered or unobligated at
22 the close of the fiscal year shall not revert to any fund but
23 shall remain available for the purposes designated until the
24 close of the succeeding fiscal year.

25 8. a. Of the funds appropriated in this section, up to
26 \$3,290,000 is allocated for the payment of the expenses of
27 court-ordered services provided to juveniles who are under the
28 supervision of juvenile court services, which expenses are a
29 charge upon the state pursuant to section 232.141, subsection
30 4. Of the amount allocated in this paragraph "a", up to
31 \$1,556,000 shall be made available to provide school-based
32 supervision of children adjudicated under chapter 232, of which
33 not more than \$15,000 may be used for the purpose of training.
34 A portion of the cost of each school-based liaison officer
35 shall be paid by the school district or other funding source as

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1 approved by the chief juvenile court officer.

2 b. Of the funds appropriated in this section, up to \$748,000
3 is allocated for the payment of the expenses of court-ordered
4 services provided to children who are under the supervision
5 of the department, which expenses are a charge upon the state
6 pursuant to section 232.141, subsection 4.

7 c. Notwithstanding section 232.141 or any other provision
8 of law to the contrary, the amounts allocated in this
9 subsection shall be distributed to the judicial districts
10 as determined by the state court administrator and to the
11 department's service areas as determined by the administrator
12 of the department of human services' division of child and
13 family services. The state court administrator and the
14 division administrator shall make the determination of the
15 distribution amounts on or before June 15, 2019.

16 d. Notwithstanding chapter 232 or any other provision of
17 law to the contrary, a district or juvenile court shall not
18 order any service which is a charge upon the state pursuant
19 to section 232.141 if there are insufficient court-ordered
20 services funds available in the district court or departmental

21 service area distribution amounts to pay for the service. The
22 chief juvenile court officer and the departmental service area
23 manager shall encourage use of the funds allocated in this
24 subsection such that there are sufficient funds to pay for
25 all court-related services during the entire year. The chief
26 juvenile court officers and departmental service area managers
27 shall attempt to anticipate potential surpluses and shortfalls
28 in the distribution amounts and shall cooperatively request the
29 state court administrator or division administrator to transfer
30 funds between the judicial districts' or departmental service
31 areas' distribution amounts as prudent.
32 e. Notwithstanding any provision of law to the contrary,
33 a district or juvenile court shall not order a county to pay
34 for any service provided to a juvenile pursuant to an order
35 entered under chapter 232 which is a charge upon the state

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1 under section 232.141, subsection 4.
2 f. Of the funds allocated in this subsection, not more than
3 \$83,000 may be used by the judicial branch for administration
4 of the requirements under this subsection.
5 g. Of the funds allocated in this subsection, \$17,000
6 shall be used by the department of human services to support
7 the interstate commission for juveniles in accordance with
8 the interstate compact for juveniles as provided in section
9 232.173.
10 9. Of the funds appropriated in this section, \$12,253,000 is
11 allocated for juvenile delinquent graduated sanctions services.
12 Any state funds saved as a result of efforts by juvenile court
13 services to earn a federal Tit. IV-E match for juvenile court
14 services administration may be used for the juvenile delinquent
15 graduated sanctions services.
16 10. Of the funds appropriated in this section, \$1,658,000 is
17 transferred to the department of public health to be used for
18 the child protection center grant program for child protection
19 centers located in Iowa in accordance with section 135.118.
20 The grant amounts under the program shall be equalized so that
21 each center receives a uniform base amount of \$245,000, and so
22 that the remaining funds are awarded through a funding formula
23 based upon the volume of children served. To increase access
24 to child protection center services for children in rural
25 areas, the funding formula for the awarding of the remaining
26 funds shall provide for the awarding of an enhanced amount to
27 eligible grantees to develop and maintain satellite centers in
28 underserved regions of the state.
29 11. Of the funds appropriated in this section, \$4,025,000 is
30 allocated for the preparation for adult living program pursuant
31 to section 234.46.
32 12. Of the funds appropriated in this section, \$227,000
33 shall be used for the public purpose of continuing a grant to a
34 nonprofit human services organization, providing services to

35 individuals and families in multiple locations in southwest

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1 Iowa and Nebraska for support of a project providing immediate,
2 sensitive support and forensic interviews, medical exams, needs
3 assessments, and referrals for victims of child abuse and their
4 nonoffending family members.

5 13. Of the funds appropriated in this section, \$300,000
6 is allocated for the foster care youth council approach of
7 providing a support network to children placed in foster care.

8 14. Of the funds appropriated in this section, \$202,000 is
9 allocated for use pursuant to section 235A.1 for continuation
10 of the initiative to address child sexual abuse implemented
11 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
12 21.

13 15. Of the funds appropriated in this section, \$630,000 is
14 allocated for the community partnership for child protection
15 sites.

16 16. Of the funds appropriated in this section, \$371,000
17 is allocated for the department's minority youth and family
18 projects under the redesign of the child welfare system.

19 17. Of the funds appropriated in this section, \$851,000
20 is allocated for funding of the community circle of care
21 collaboration for children and youth in northeast Iowa.

22 18. Of the funds appropriated in this section, at least
23 \$147,000 shall be used for the continuation of the child
24 welfare provider training academy, a collaboration between the
25 coalition for family and children's services in Iowa and the
26 department.

27 19. Of the funds appropriated in this section, \$211,000
28 shall be used for continuation of the central Iowa system of
29 care program grant through June 30, 2020.

30 20. Of the funds appropriated in this section, \$235,000
31 shall be used for the public purpose of the continuation
32 and expansion of a system of care program grant implemented
33 in Cerro Gordo and Linn counties to utilize a comprehensive
34 and long-term approach for helping children and families by
35 addressing the key areas in a child's life of childhood basic

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1 needs, education and work, family, and community.

2 21. Of the funds appropriated in this section, at least
3 \$25,000 shall be used to continue and to expand the foster
4 care respite pilot program in which postsecondary students in
5 social work and other human services-related programs receive
6 experience by assisting family foster care providers with
7 respite and other support.

8 22. Of the funds appropriated in this section, \$110,000
9 shall be used for the public purpose of funding community-based
10 services and other supports with a system of care approach

11 for children with a serious emotional disturbance and their
12 families through a nonprofit provider of child welfare services
13 that has been in existence for more than 115 years, is located
14 in a county with a population of more than 200,000 but less
15 than 220,000 according to the latest certified federal census,
16 is licensed as a psychiatric medical institution for children,
17 and was a system of care grantee prior to July 1, 2019.

18 23. If a separate funding source is identified that reduces
19 the need for state funds within an allocation under this
20 section, the allocated state funds may be redistributed to
21 other allocations under this section for the same fiscal year.

22 Sec. 19. ADOPTION SUBSIDY.

23 1. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 2019, and ending June 30, 2020, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purpose designated:

28 a. For adoption subsidy payments and services:

29 \$ 40,596,007

30 b.(1) The funds appropriated in this section shall be used
31 as authorized or allowed by federal law or regulation for any
32 of the following purposes:

33 (a) For adoption subsidy payments and related costs.

34 (b) For post-adoption services and for other purposes under
35 Tit. IV-B or Tit. IV-E of the federal Social Security Act.

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1 (2) The department of human services may transfer funds
2 appropriated in this subsection to the appropriation for
3 child and family services in this Act for the purposes of
4 post-adoption services as specified in this paragraph "b".

5 c. Notwithstanding section 8.33, moneys corresponding to
6 the state savings resulting from implementation of the federal
7 Fostering Connections to Success and Increasing Adoptions Act
8 of 2008, Pub. L. No. 110-351, and successor legislation, as
9 determined in accordance with 42 U.S.C. §673(a)(8), that remain
10 unencumbered or unobligated at the close of the fiscal year,
11 shall not revert to any fund but shall remain available for the
12 purposes designated in this subsection until expended. The
13 amount of such savings and any corresponding funds remaining
14 at the close of the fiscal year shall be determined separately
15 and any changes in either amount between fiscal years shall not
16 result in an unfunded need.

17 2. The department may transfer funds appropriated in
18 this section to the appropriation made in this division of
19 this Act for general administration for costs paid from the
20 appropriation relating to adoption subsidy.

21 3. Federal funds received by the state during the
22 fiscal year beginning July 1, 2019, as the result of the
23 expenditure of state funds during a previous state fiscal
24 year for a service or activity funded under this section are

25 appropriated to the department to be used as additional funding
26 for the services and activities funded under this section.
27 Notwithstanding section 8.33, moneys received in accordance
28 with this subsection that remain unencumbered or unobligated
29 at the close of the fiscal year shall not revert to any fund
30 but shall remain available for expenditure for the purposes
31 designated until the close of the succeeding fiscal year.
32 Sec. 20. JUVENILE DETENTION HOME FUND. Moneys deposited
33 in the juvenile detention home fund created in section 232.142
34 during the fiscal year beginning July 1, 2019, and ending June
35 30, 2020, are appropriated to the department of human services

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1 for the fiscal year beginning July 1, 2019, and ending June 30,
2 2020, for distribution of an amount equal to a percentage of
3 the costs of the establishment, improvement, operation, and
4 maintenance of county or multicounty juvenile detention homes
5 in the fiscal year beginning July 1, 2018. Moneys appropriated
6 for distribution in accordance with this section shall be
7 allocated among eligible detention homes, prorated on the basis
8 of an eligible detention home's proportion of the costs of all
9 eligible detention homes in the fiscal year beginning July
10 1, 2018. The percentage figure shall be determined by the
11 department based on the amount available for distribution for
12 the fund. Notwithstanding section 232.142, subsection 3, the
13 financial aid payable by the state under that provision for the
14 fiscal year beginning July 1, 2019, shall be limited to the
15 amount appropriated for the purposes of this section.

16 Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM.

17 1. There is appropriated from the general fund of the
18 state to the department of human services for the fiscal year
19 beginning July 1, 2019, and ending June 30, 2020, the following
20 amount, or so much thereof as is necessary, to be used for the
21 purpose designated:

22 For the family support subsidy program subject to the
23 enrollment restrictions in section 225C.37, subsection 3:

24 \$ 949,282

25 2. At least \$819,275 of the moneys appropriated in this
26 section is transferred to the department of public health for
27 the family support center component of the comprehensive family
28 support program under chapter 225C, subchapter V.

29 3. If at any time during the fiscal year, the amount of
30 funding available for the family support subsidy program
31 is reduced from the amount initially used to establish the
32 figure for the number of family members for whom a subsidy
33 is to be provided at any one time during the fiscal year,
34 notwithstanding section 225C.38, subsection 2, the department
35 shall revise the figure as necessary to conform to the amount

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1 of funding available.

2 Sec. 22. CONNER DECREE. There is appropriated from the

3 general fund of the state to the department of human services

4 for the fiscal year beginning July 1, 2019, and ending June 30,

5 2020, the following amount, or so much thereof as is necessary,

6 to be used for the purpose designated:

7 For building community capacity through the coordination

8 and provision of training opportunities in accordance with the

9 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.

10 Iowa, July 14, 1994):

| | | |
|----------|----|--------|
| 11 | \$ | 33,632 |
|----------|----|--------|

12 Sec. 23. MENTAL HEALTH INSTITUTES.

13 1. There is appropriated from the general fund of the

14 state to the department of human services for the fiscal year

15 beginning July 1, 2019, and ending June 30, 2020, the following

16 amounts, or so much thereof as is necessary, to be used for the

17 purposes designated:

18 a.(1) For operation of the state mental health institute

19 at Cherokee as required by chapters 218 and 226 for salaries,

20 support, maintenance, and miscellaneous purposes, and for not

21 more than the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 22 | \$ | 14,216,149 |
| 23 | FTEs | 169.00 |

24 (2) The additional full-time equivalent positions

25 authorized in this paragraph "a" shall include 3.50 security

26 staff and 3.00 support staff, or comparable additional,

27 full-time equivalent positions.

28 b.(1) For operation of the state mental health institute

29 at Independence as required by chapters 218 and 226 for

30 salaries, support, maintenance, and miscellaneous purposes, and

31 for not more than the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 32 | \$ | 19,165,110 |
| 33 | FTEs | 208.00 |

34 (2) The additional full-time equivalent positions

35 authorized in this paragraph "b" shall include 3.50 security

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1 staff, or comparable additional, full-time equivalent

2 positions.

3 2. Notwithstanding sections 218.78 and 249A.11, any revenue

4 received from the state mental health institute at Cherokee or

5 the state mental health institute at Independence pursuant to

6 42 C.F.R. §438.6(e) may be retained and expended by the mental

7 health institute.

8 3. Notwithstanding any provision of law to the contrary,

9 a Medicaid member residing at the state mental health

10 institute at Cherokee or the state mental health institute

11 at Independence shall retain Medicaid eligibility during

12 the period of the Medicaid member's stay for which federal

13 financial participation is available.

14 4. Notwithstanding section 8.33, moneys appropriated in
15 this section that remain unencumbered or unobligated at the
16 close of the fiscal year shall not revert but shall remain
17 available for expenditure for the purposes designated until the
18 close of the succeeding fiscal year.

19 Sec. 24. STATE RESOURCE CENTERS.

20 1. There is appropriated from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 2019, and ending June 30, 2020, the following
23 amounts, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 a. For the state resource center at Glenwood for salaries,
26 support, maintenance, and miscellaneous purposes:
27 \$ 16,048,348

28 b. For the state resource center at Woodward for salaries,
29 support, maintenance, and miscellaneous purposes:
30 \$ 10,872,356

31 2. The department may continue to bill for state resource
32 center services utilizing a scope of services approach used for
33 private providers of intermediate care facilities for persons
34 with an intellectual disability services, in a manner which
35 does not shift costs between the medical assistance program,

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1 counties, or other sources of funding for the state resource
2 centers.

3 3. The state resource centers may expand the time-limited
4 assessment and respite services during the fiscal year.

5 4. If the department's administration and the department
6 of management concur with a finding by a state resource
7 center's superintendent that projected revenues can reasonably
8 be expected to pay the salary and support costs for a new
9 employee position, or that such costs for adding a particular
10 number of new positions for the fiscal year would be less
11 than the overtime costs if new positions would not be added,
12 the superintendent may add the new position or positions. If
13 the vacant positions available to a resource center do not
14 include the position classification desired to be filled, the
15 state resource center's superintendent may reclassify any
16 vacant position as necessary to fill the desired position. The
17 superintendents of the state resource centers may, by mutual
18 agreement, pool vacant positions and position classifications
19 during the course of the fiscal year in order to assist one
20 another in filling necessary positions.

21 5. If existing capacity limitations are reached in
22 operating units, a waiting list is in effect for a service or
23 a special need for which a payment source or other funding
24 is available for the service or to address the special need,
25 and facilities for the service or to address the special need
26 can be provided within the available payment source or other

27 funding, the superintendent of a state resource center may
 28 authorize opening not more than two units or other facilities
 29 and begin implementing the service or addressing the special
 30 need during fiscal year 2019–2020.

31 6. Notwithstanding section 8.33, and notwithstanding
 32 the amount limitation specified in section 222.92, moneys
 33 appropriated in this section that remain unencumbered or
 34 unobligated at the close of the fiscal year shall not revert
 35 but shall remain available for expenditure for the purposes

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1 designated until the close of the succeeding fiscal year.

2 Sec. 25. SEXUALLY VIOLENT PREDATORS.

3 1. a. There is appropriated from the general fund of the
 4 state to the department of human services for the fiscal year
 5 beginning July 1, 2019, and ending June 30, 2020, the following
 6 amount, or so much thereof as is necessary, to be used for the
 7 purpose designated:

8 For costs associated with the commitment and treatment of
 9 sexually violent predators in the unit located at the state
 10 mental health institute at Cherokee, including costs of legal
 11 services and other associated costs, including salaries,
 12 support, maintenance, and miscellaneous purposes, and for not
 13 more than the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 14 | \$ | 12,053,093 |
| 15 | FTEs | 139.00 |

16 b. The additional full-time equivalent positions authorized
 17 in paragraph “a” shall include 7.00 clinical and support staff,
 18 or comparable additional, full-time equivalent positions.

19 2. Unless specifically prohibited by law, if the amount
 20 charged provides for recoupment of at least the entire amount
 21 of direct and indirect costs, the department of human services
 22 may contract with other states to provide care and treatment
 23 of persons placed by the other states at the unit for sexually
 24 violent predators at Cherokee. The moneys received under
 25 such a contract shall be considered to be repayment receipts
 26 and used for the purposes of the appropriation made in this
 27 section.

28 3. Notwithstanding section 8.33, moneys appropriated in
 29 this section that remain unencumbered or unobligated at the
 30 close of the fiscal year shall not revert but shall remain
 31 available for expenditure for the purposes designated until the
 32 close of the succeeding fiscal year.

33 Sec. 26. FIELD OPERATIONS.

34 1. There is appropriated from the general fund of the
 35 state to the department of human services for the fiscal year

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1 beginning July 1, 2019, and ending June 30, 2020, the following
2 amount, or so much thereof as is necessary, to be used for the
3 purposes designated:

4 For field operations, including salaries, support,
5 maintenance, and miscellaneous purposes, and for not more than
6 the following full-time equivalent positions:

| | | |
|---------|------|------------|
| 7 | \$ | 55,396,906 |
| 8 | FTEs | 1,539.00 |

9 2. The additional full-time equivalent positions authorized
10 in subsection 1 shall include 29.00 full-time equivalent staff
11 positions to relieve caseloads and 6.00 full-time equivalent
12 positions related to the eligibility integrated application
13 solution (ELIAS) system.

14 3. Priority in filling full-time equivalent positions
15 shall be given to those positions related to child protection
16 services and eligibility determination for low-income families.

17 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
18 from the general fund of the state to the department of human
19 services for the fiscal year beginning July 1, 2019, and ending
20 June 30, 2020, the following amount, or so much thereof as is
21 necessary, to be used for the purpose designated:

22 For general administration, including salaries, support,
23 maintenance, and miscellaneous purposes, and for not more than
24 the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 25 | \$ | 14,533,040 |
| 26 | FTEs | 294.00 |

27 1. The department shall report at least monthly to the
28 legislative services agency concerning the department's
29 operational and program expenditures.

30 2. Of the funds appropriated in this section, \$150,000 shall
31 be used to continue the contract for the provision of a program
32 to provide technical assistance, support, and consultation to
33 providers of habilitation services and home and community-based
34 services waiver services for adults with disabilities under the
35 medical assistance program.

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1 3. Of the funds appropriated in this section, \$50,000
2 is transferred to the Iowa finance authority to be used
3 for administrative support of the council on homelessness
4 established in section 16.2D and for the council to fulfill its
5 duties in addressing and reducing homelessness in the state.

6 4. Of the funds appropriated in this section, \$200,000 shall
7 be transferred to and deposited in the administrative fund of
8 the Iowa ABLE savings plan trust created in section 12I.4, to
9 be used for implementation and administration activities of the
10 Iowa ABLE savings plan trust.

11 5. Of the funds appropriated in this section, \$200,000 is
12 transferred to the economic development authority for the Iowa

13 commission on volunteer services to continue to be used for
 14 RefugeeRISE AmeriCorps program established under section 15H.8
 15 for member recruitment and training to improve the economic
 16 well-being and health of economically disadvantaged refugees in
 17 local communities across Iowa. Funds transferred may be used
 18 to supplement federal funds under federal regulations.

19 6. Of the funds appropriated in this section, up to
 20 \$1,000,000 shall be used as follows:

21 a. To fund not more than one full-time equivalent position
 22 to address the department's responsibility to support the work
 23 of the children's system state board and implementation of the
 24 services required pursuant to 2018 Iowa Acts, chapter 1056,
 25 section 13.

26 b. To support the cost of establishing and implementing new
 27 or additional services required pursuant to 2018 Iowa Acts,
 28 chapter 1056, and any legislation enacted by the 2019 general
 29 assembly establishing a children's behavioral health system.

30 c. Of the amount allocated, \$32,000 shall be transferred
 31 to the department of public health to support the costs of
 32 establishing and implementing new or additional services
 33 required pursuant to 2018 Iowa Acts, chapter 1056, and any
 34 legislation enacted by the 2019 general assembly establishing a
 35 children's behavioral health system.

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1 d. Of the amount allocated, \$700,000 shall be distributed
 2 in equal amounts to each of the mental health and disability
 3 services regions for a children's behavioral health system
 4 coordinator in each region.

5 Sec. 28. DEPARTMENT-WIDE DUTIES. There is appropriated
 6 from the general fund of the state to the department of human
 7 services for the fiscal year beginning July 1, 2019, and ending
 8 June 30, 2020, the following amount, or so much thereof as is
 9 necessary, to be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
 11 purposes at facilities under the purview of the department of
 12 human services:

13 \$ 2,879,274

14 Sec. 29. VOLUNTEERS. There is appropriated from the general
 15 fund of the state to the department of human services for the
 16 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 17 the following amount, or so much thereof as is necessary, to be
 18 used for the purpose designated:

19 For development and coordination of volunteer services:

20 \$ 84,686

21 Sec. 30. CORPORATE TECHNOLOGY. There is appropriated
 22 from the general fund of the state to the department of human
 23 services for the fiscal year beginning July 1, 2019, and ending
 24 June 30, 2020, the following amount, or so much thereof as is
 25 necessary, to be used for the purposes designated:

26 For the purchase of department-wide technology and software

27 update needs:
28 \$ 1,294,895
29 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
30 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
31 DEPARTMENT OF HUMAN SERVICES.
32 1. a.(1)(a) For the fiscal year beginning July 1,
33 2019, the department shall rebase case-mix nursing facility
34 rates effective July 1, 2019, to the extent possible within the
35 state funding, including the \$20,479,942 appropriated for this

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1 purpose.
2 (b) For the fiscal year beginning July 1, 2019, non-case-mix
3 and special population nursing facilities shall be reimbursed
4 in accordance with the methodology in effect on June 30 of the
5 prior fiscal year.
6 (c) For managed care claims, the department of human
7 services shall adjust the payment rate floor for nursing
8 facilities, annually, to maintain a rate floor that is no
9 lower than the Medicaid fee-for-service case-mix adjusted
10 rate calculated in accordance with subparagraph division
11 (a) and 441 IAC 81.6. The department shall then calculate
12 adjusted reimbursement rates, including but not limited to
13 add-on-payments, annually, and shall notify Medicaid managed
14 care organizations of the adjusted reimbursement rates within
15 30 days of determining the adjusted reimbursement rates. Any
16 adjustment of reimbursement rates under this subparagraph
17 division shall be budget neutral to the state budget.
18 (d) For the fiscal year beginning July 1, 2019, Medicaid
19 managed care long-term services and supports capitation
20 rates shall be adjusted to reflect the rebasing pursuant to
21 subparagraph division (a) for the patient populations residing
22 in Medicaid-certified nursing facilities.
23 (2) Medicaid managed care organizations shall adjust
24 facility-specific rates based upon payment rate listings issued
25 by the department. The rate adjustments shall be applied
26 prospectively from the effective date of the rate letter issued
27 by the department.
28 b.(1) For the fiscal year beginning July 1, 2019,
29 the department shall establish the pharmacy dispensing fee
30 reimbursement at \$10.07 per prescription, until a cost of
31 dispensing survey is completed. The actual dispensing fee
32 shall be determined by a cost of dispensing survey performed
33 by the department and required to be completed by all medical
34 assistance program participating pharmacies every two years,
35 adjusted as necessary to maintain expenditures within the

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1 amount appropriated to the department for this purpose for the
2 fiscal year.

3 (2) The department shall utilize an average acquisition
4 cost reimbursement methodology for all drugs covered under the
5 medical assistance program in accordance with 2012 Iowa Acts,
6 chapter 1133, section 33.

7 c. (1) For the fiscal year beginning July 1, 2019,
8 reimbursement rates for outpatient hospital services shall
9 remain at the rates in effect on June 30, 2019, subject to
10 Medicaid program upper payment limit rules, and adjusted
11 as necessary to maintain expenditures within the amount
12 appropriated to the department for this purpose for the fiscal
13 year.

14 (2) For the fiscal year beginning July 1, 2019,
15 reimbursement rates for inpatient hospital services shall
16 remain at the rates in effect on June 30, 2019, subject to
17 Medicaid program upper payment limit rules, and adjusted
18 as necessary to maintain expenditures within the amount
19 appropriated to the department for this purpose for the fiscal
20 year.

21 (3) For the fiscal year beginning July 1, 2019, under both
22 fee-for-service and managed care administration of the Medicaid
23 program, critical access hospital reimbursement rates shall be
24 adjusted within the additional \$1,500,000 appropriated for this
25 purpose.

26 (4) For the fiscal year beginning July 1, 2019, the graduate
27 medical education and disproportionate share hospital fund
28 shall remain at the amount in effect on June 30, 2019, except
29 that the portion of the fund attributable to graduate medical
30 education shall be reduced in an amount that reflects the
31 elimination of graduate medical education payments made to
32 out-of-state hospitals.

33 (5) In order to ensure the efficient use of limited state
34 funds in procuring health care services for low-income Iowans,
35 funds appropriated in this Act for hospital services shall

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1 not be used for activities which would be excluded from a
2 determination of reasonable costs under the federal Medicare
3 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

4 d. For the fiscal year beginning July 1, 2019, reimbursement
5 rates for hospices and acute psychiatric hospitals shall be
6 increased in accordance with increases under the federal
7 Medicare program or as supported by their Medicare audited
8 costs.

9 e. For the fiscal year beginning July 1, 2019, independent
10 laboratories and rehabilitation agencies shall be reimbursed
11 using the same methodology in effect on June 30, 2019.

12 f.(1) For the fiscal year beginning July 1, 2019,

13 reimbursement rates for home health agencies shall be rebased,
14 to the extent possible, within the state funding appropriated
15 for this purpose, and shall continue to be based on the
16 Medicare low utilization payment adjustment (LUPA) methodology
17 with state geographic wage adjustments to reflect the most
18 recent Medicare LUPA rates to the extent possible within the
19 state funding appropriated for this purpose.

20 (2) For the fiscal year beginning July 1, 2019, rates for
21 private duty nursing and personal care services under the early
22 and periodic screening, diagnostic, and treatment program
23 benefit shall be calculated based on the methodology in effect
24 on June 30, 2019.

25 g. For the fiscal year beginning July 1, 2019, federally
26 qualified health centers and rural health clinics shall receive
27 cost-based reimbursement for 100 percent of the reasonable
28 costs for the provision of services to recipients of medical
29 assistance.

30 h. For the fiscal year beginning July 1, 2019, the
31 reimbursement rates for dental services shall remain at the
32 rates in effect on June 30, 2019.

33 i. (1) For the fiscal year beginning July 1, 2019,
34 reimbursement rates for non-state-owned psychiatric medical
35 institutions for children shall be based on the reimbursement

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1 methodology in effect on June 30, 2019.

2 (2) As a condition of participation in the medical
3 assistance program, enrolled providers shall accept the medical
4 assistance reimbursement rate for any covered goods or services
5 provided to recipients of medical assistance who are children
6 under the custody of a psychiatric medical institution for
7 children.

8 j. For the fiscal year beginning July 1, 2019, unless
9 otherwise specified in this Act, all noninstitutional medical
10 assistance provider reimbursement rates shall remain at the
11 rates in effect on June 30, 2019, except for area education
12 agencies, local education agencies, infant and toddler
13 services providers, home and community-based services providers
14 including consumer-directed attendant care providers under a
15 section 1915(c) or 1915(i) waiver, targeted case management
16 providers, and those providers whose rates are required to be
17 determined pursuant to section 249A.20, or to meet federal
18 mental health parity requirements.

19 k. Notwithstanding any provision to the contrary, for the
20 fiscal year beginning July 1, 2019, the reimbursement rate for
21 anesthesiologists shall remain at the rates in effect on June
22 30, 2019, and updated on January 1, 2020, to align with the
23 most current Iowa Medicare anesthesia rate.

24 l. Notwithstanding section 249A.20, for the fiscal year
25 beginning July 1, 2019, the average reimbursement rate for
26 health care providers eligible for use of the federal Medicare

27 resource-based relative value scale reimbursement methodology
28 under section 249A.20 shall remain at the rate in effect on
29 June 30, 2019; however, this rate shall not exceed the maximum
30 level authorized by the federal government.
31 m. For the fiscal year beginning July 1, 2019, the
32 reimbursement rate for residential care facilities shall not
33 be less than the minimum payment level as established by the
34 federal government to meet the federally mandated maintenance
35 of effort requirement. The flat reimbursement rate for

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1 facilities electing not to file annual cost reports shall not
2 be less than the minimum payment level as established by the
3 federal government to meet the federally mandated maintenance
4 of effort requirement.
5 n. For the fiscal year beginning July 1, 2019, the
6 reimbursement rates for inpatient mental health services
7 provided at hospitals shall remain at the rates in effect on
8 June 30, 2019, subject to Medicaid program upper payment limit
9 rules; and psychiatrists shall be reimbursed at the medical
10 assistance program fee-for-service rate in effect on June 30,
11 2019.
12 o. For the fiscal year beginning July 1, 2019, community
13 mental health centers may choose to be reimbursed for the
14 services provided to recipients of medical assistance through
15 either of the following options:
16 (1) For 100 percent of the reasonable costs of the services.
17 (2) In accordance with the alternative reimbursement rate
18 methodology approved by the department of human services in
19 effect on June 30, 2019.
20 p. For the fiscal year beginning July 1, 2019, the
21 reimbursement rate for providers of family planning services
22 that are eligible to receive a 90 percent federal match shall
23 remain at the rates in effect on June 30, 2019.
24 q. Unless otherwise subject to a tiered rate methodology,
25 for the fiscal year beginning July 1, 2019, the upper
26 limits and reimbursement rates for providers of home and
27 community-based services waiver services shall be reimbursed
28 using the reimbursement methodology in effect on June 30, 2019.
29 r. For the fiscal year beginning July 1, 2019, the
30 reimbursement rates for emergency medical service providers
31 shall remain at the rates in effect on June 30, 2019.
32 s. For the fiscal year beginning July 1, 2019, reimbursement
33 rates for substance-related disorder treatment programs
34 licensed under section 125.13 shall remain at the rates in
35 effect on June 30, 2019.

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1 t. For the fiscal year beginning July 1, 2019, assertive
2 community treatment per diem rates shall be adjusted to
3 reflect an actual average per diem cost within the additional
4 \$1,088,437 appropriated for this purpose.

5 u. For the fiscal year beginning July 1, 2019, the
6 department shall establish a reimbursement rate floor of
7 at least \$35 for the assisted living on-call service under
8 the home and community-based services elderly waiver. The
9 rate floor shall be applicable to both fee-for-service and
10 managed care administration of the Medicaid program, unless an
11 alternative rate or payment structure is mutually agreed upon
12 by the on-call service provider and the payor.

13 2. For the fiscal year beginning July 1, 2019, the
14 reimbursement rate for providers reimbursed under the
15 in-home-related care program shall not be less than the minimum
16 payment level as established by the federal government to meet
17 the federally mandated maintenance of effort requirement.

18 3. Unless otherwise directed in this section, when the
19 department's reimbursement methodology for any provider
20 reimbursed in accordance with this section includes an
21 inflation factor, this factor shall not exceed the amount
22 by which the consumer price index for all urban consumers
23 increased during the calendar year ending December 31, 2002.

24 4. Notwithstanding section 234.38, for the fiscal
25 year beginning July 1, 2019, the foster family basic daily
26 maintenance rate and the maximum adoption subsidy rate for
27 children ages 0 through 5 years shall be \$16.78, the rate for
28 children ages 6 through 11 years shall be \$17.45, the rate for
29 children ages 12 through 15 years shall be \$19.10, and the
30 rate for children and young adults ages 16 and older shall
31 be \$19.35. For youth ages 18 to 21 who have exited foster
32 care, the preparation for adult living program maintenance rate
33 shall be \$602.70 per month. The maximum payment for adoption
34 subsidy nonrecurring expenses shall be limited to \$500 and the
35 disallowance of additional amounts for court costs and other

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1 related legal expenses implemented pursuant to 2010 Iowa Acts,
2 chapter 1031, section 408, shall be continued.

3 5. For the fiscal year beginning July 1, 2019, the maximum
4 reimbursement rates for social services providers under
5 contract shall remain at the rates in effect on June 30, 2019,
6 or the provider's actual and allowable cost plus inflation for
7 each service, whichever is less. However, if a new service
8 or service provider is added after June 30, 2019, the initial
9 reimbursement rate for the service or provider shall be based
10 upon a weighted average of provider rates for similar services.

11 6.a. For the fiscal year beginning July 1, 2019, the
12 reimbursement rates for resource family recruitment and

13 retention contractors shall be established by contract.

14 b. For the fiscal year beginning July 1, 2019, the
15 reimbursement rates for supervised apartment living foster care
16 providers shall be established by contract.

17 7. For the fiscal year beginning July 1, 2019, the
18 reimbursement rate for group foster care providers shall be the
19 combined service and maintenance reimbursement rate established
20 by contract.

21 8. The group foster care reimbursement rates paid for
22 placement of children out of state shall be calculated
23 according to the same rate-setting principles as those used for
24 in-state providers, unless the director of human services or
25 the director's designee determines that appropriate care cannot
26 be provided within the state. The payment of the daily rate
27 shall be based on the number of days in the calendar month in
28 which service is provided.

29 9. a. For the fiscal year beginning July 1, 2019, the
30 reimbursement rate paid for shelter care and the child welfare
31 emergency services implemented to provide or prevent the need
32 for shelter care shall be established by contract.

33 b. For the fiscal year beginning July 1, 2019, the combined
34 service and maintenance components of the reimbursement rate
35 paid for shelter care services shall be based on the financial

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1 and statistical report submitted to the department. The
2 maximum reimbursement rate shall be \$101.83 per day. The
3 department shall reimburse a shelter care provider at the
4 provider's actual and allowable unit cost, plus inflation, not
5 to exceed the maximum reimbursement rate.

6 c. Notwithstanding section 232.141, subsection 8, for the
7 fiscal year beginning July 1, 2019, the amount of the statewide
8 average of the actual and allowable rates for reimbursement of
9 juvenile shelter care homes that is utilized for the limitation
10 on recovery of unpaid costs shall remain at the amount in
11 effect for this purpose in the fiscal year beginning July 1,
12 2018.

13 10. For the fiscal year beginning July 1, 2019, the
14 department shall calculate reimbursement rates for intermediate
15 care facilities for persons with an intellectual disability
16 at the 80th percentile. Beginning July 1, 2019, the rate
17 calculation methodology shall utilize the consumer price index
18 inflation factor applicable to the fiscal year beginning July
19 1, 2019.

20 11. Effective July 1, 2019, the child care provider
21 reimbursement rates shall remain at the rates in effect on June
22 30, 2019. The department shall set rates in a manner so as
23 to provide incentives for a nonregistered provider to become
24 registered by applying any increase only to registered and
25 licensed providers.

26 12. The department may adopt emergency rules to implement

27 this section.

28 Sec. 32. EMERGENCY RULES.

29 1. If specifically authorized by a provision of this
30 division of this Act, the department of human services or
31 the mental health and disability services commission may
32 adopt administrative rules under section 17A.4, subsection
33 3, and section 17A.5, subsection 2, paragraph "b", to
34 implement the provisions of this division of this Act and
35 the rules shall become effective immediately upon filing or

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1 on a later effective date specified in the rules, unless the
2 effective date of the rules is delayed or the applicability
3 of the rules is suspended by the administrative rules review
4 committee. Any rules adopted in accordance with this section
5 shall not take effect before the rules are reviewed by the
6 administrative rules review committee. The delay authority
7 provided to the administrative rules review committee under
8 section 17A.4, subsection 7, and section 17A.8, subsection 9,
9 shall be applicable to a delay imposed under this section,
10 notwithstanding a provision in those sections making them
11 inapplicable to section 17A.5, subsection 2, paragraph "b".
12 Any rules adopted in accordance with the provisions of this
13 section shall also be published as a notice of intended action
14 as provided in section 17A.4.

15 2. If during a fiscal year, the department of human
16 services is adopting rules in accordance with this section
17 or as otherwise directed or authorized by state law, and the
18 rules will result in an expenditure increase beyond the amount
19 anticipated in the budget process or if the expenditure was
20 not addressed in the budget process for the fiscal year, the
21 department shall notify the persons designated by this division
22 of this Act for submission of reports, the chairpersons and
23 ranking members of the committees on appropriations, and
24 the department of management concerning the rules and the
25 expenditure increase. The notification shall be provided at
26 least 30 calendar days prior to the date notice of the rules
27 is submitted to the administrative rules coordinator and the
28 administrative code editor.

29 Sec. 33. REPORTS. Any reports or other information
30 required to be compiled and submitted under this Act during the
31 fiscal year beginning July 1, 2019, shall be submitted to the
32 chairpersons and ranking members of the joint appropriations
33 subcommittee on health and human services, the legislative
34 services agency, and the legislative caucus staffs on or
35 before the dates specified for submission of the reports or

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1 information.

2 Sec. 34. EFFECTIVE UPON ENACTMENT. The following
3 provisions of this division of this Act, being deemed of
4 immediate importance, take effect upon enactment:

5 1. The provision relating to section 232.141 and directing
6 the state court administrator and the division administrator of
7 the department of human services division of child and family
8 services to make the determination, by June 15, 2019, of the
9 distribution of funds allocated for the payment of the expenses
10 of court-ordered services provided to juveniles which are a
11 charge upon the state.

12 DIVISION VI

13 HEALTH CARE ACCOUNTS AND FUNDS — FY 2019–2020

14 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
15 appropriated from the pharmaceutical settlement account created
16 in section 249A.33 to the department of human services for the
17 fiscal year beginning July 1, 2019, and ending June 30, 2020,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purpose designated:

20 Notwithstanding any provision of law to the contrary, to
21 supplement the appropriations made in this Act for medical
22 contracts under the medical assistance program for the fiscal
23 year beginning July 1, 2019, and ending June 30, 2020:

24 \$ 234,193

25 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
26 SERVICES. Notwithstanding any provision to the contrary and
27 subject to the availability of funds, there is appropriated
28 from the quality assurance trust fund created in section
29 249L.4 to the department of human services for the fiscal year
30 beginning July 1, 2019, and ending June 30, 2020, the following
31 amounts, or so much thereof as is necessary, for the purposes
32 designated:

33 To supplement the appropriation made in this Act from the
34 general fund of the state to the department of human services
35 for medical assistance for the same fiscal year:

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1 \$ 58,570,397

2 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
3 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
4 the contrary and subject to the availability of funds, there is
5 appropriated from the hospital health care access trust fund
6 created in section 249M.4 to the department of human services
7 for the fiscal year beginning July 1, 2019, and ending June
8 30, 2020, the following amounts, or so much thereof as is
9 necessary, for the purposes designated:

10 To supplement the appropriation made in this Act from the
11 general fund of the state to the department of human services
12 for medical assistance for the same fiscal year:

13 \$ 33,920,554

14 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
15 FOR FY 2019–2020. Notwithstanding section 8.33, if moneys
16 appropriated for purposes of the medical assistance program for
17 the fiscal year beginning July 1, 2019, and ending June 30,
18 2020, from the general fund of the state, the quality assurance
19 trust fund and the hospital health care access trust fund, are
20 in excess of actual expenditures for the medical assistance
21 program and remain unencumbered or unobligated at the close
22 of the fiscal year, the excess moneys shall not revert but
23 shall remain available for expenditure for the purposes of the
24 medical assistance program until the close of the succeeding
25 fiscal year.

26 DIVISION VII
27 GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE
28 SERVICES AND FUNDING WORK GROUP
29 Sec. 39. GRADUATED SANCTION, COURT-ORDERED, AND GROUP
30 FOSTER CARE SERVICES AND FUNDING WORK GROUP.

31 1. As used in this section, unless the context otherwise
32 requires:
33 a. “Court-ordered services” means the defined or specific
34 care and treatment that is ordered by the court for an eligible
35 child and for which no other payment source is available to

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1 cover the cost.
2 b. “Department” means the department of human services.
3 c. “Eligible child” means a child who has been adjudicated
4 delinquent, is at risk, or has been certified by the chief
5 juvenile court officer as eligible for court-ordered services.
6 d. “Graduated sanction services” includes community-based
7 interventions, school-based supervision, and supportive
8 enhancements provided in community-based settings to an
9 eligible child who is adjudicated delinquent or who is at risk
10 of adjudication.
11 2. The division of criminal and juvenile justice planning
12 of the department of human rights shall convene and provide
13 administrative support to a work group to review and develop
14 a plan to transfer the administration of graduated sanctions
15 and court-ordered services and funding and the oversight of
16 group foster care placements for eligible children from the
17 department to the office of the state court administrator.
18 The plan shall ensure that the office of the state court
19 administrator has the capacity, resources, and expertise to
20 manage the funding and services effectively.
21 3. a. In addition to a representative of the division of
22 criminal and juvenile justice planning of the department of
23 human rights, the membership of the work group shall include
24 but is not limited to representatives of all of the following:
25 (1) The judicial branch, including the state court
26 administrator or the state court administrator’s designee,

- 27 a juvenile court judge, at least one chief juvenile court
28 officer, and a representative with fiscal and contract
29 experience.
- 30 (2) The department of human services, including
31 representatives with experience managing graduated sanctions
32 funding and group foster care placements.
- 33 (3) The department of justice.
- 34 (4) The juvenile justice advisory committee.
- 35 (5) Member and nonmember agencies of the coalition for

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- 1 family and children's services in Iowa.
- 2 (6) Providers of community-based services for eligible
3 children.
- 4 (7) Providers of group foster care.
- 5 (8) Attorneys who represent children in juvenile justice
6 proceedings.
- 7 (9) County attorneys.
- 8 (10) Federal Title IV-E funding and services subject matter
9 experts.
- 10 (11) Individuals who formerly received services as eligible
11 children or their parents.
- 12 b. In addition, the work group membership shall include
13 four members of the general assembly. The legislative members
14 shall serve as ex officio, nonvoting members of the work group,
15 with one member to be appointed by each of the following: the
16 majority leader of the senate, the minority leader of the
17 senate, the speaker of the house of representatives, and the
18 minority leader of the house of representatives.
- 19 c. In addition to the members specified, the division
20 of criminal and juvenile justice planning may include other
21 stakeholders with interest or expertise on the work group.
- 22 d. Any expenses incurred by a member of the work group
23 shall be the responsibility of the individual member or the
24 respective entity represented by the member.
- 25 4. The work group shall do all of the following:
- 26 a. Develop an action plan to transfer the administration
27 of juvenile court graduated sanction services, court-ordered
28 services, and associated funding from the department to the
29 office of the state court administrator or other appropriate
30 state entity.
- 31 b. Develop an action plan to transfer the oversight of
32 group foster care services for eligible children from the
33 department to the office of the state court administrator or
34 other appropriate state entity with the necessary expertise to
35 provide such services.

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- 1 c. Develop an action plan to transfer administration of the
2 juvenile detention home fund created in section 232.142 from
3 the department to the office of the state court administrator
4 or other appropriate state entity.
- 5 d. Evaluate current resources to determine the most
6 efficient means of suitably equipping the office of the state
7 court administrator or other appropriate state entity with
8 the policies and legal authority; staffing; contracting,
9 procurement, data, and quality assurance capabilities;
10 and other resources necessary to manage such funds and
11 associated services effectively. The evaluation shall
12 require collaboration with the department to manage transition
13 activities.
- 14 e. Recommend statutory and administrative policies and
15 court rules to promote collaborative case planning and quality
16 assurance between the department and juvenile court services
17 for youth who may be involved in both the child welfare and
18 juvenile justice systems or who may utilize the same providers
19 or services.
- 20 f. Determine the impact and role of the federal Family
21 First Prevention Services Act relative to the various funding
22 streams and services under the purview of the work group, and
23 recommend statutory and administrative policies and rules to
24 coordinate the duties of the work group with implementation and
25 administration of the federal Act.
- 26 g. Determine the role of the decategorization of child
27 welfare and juvenile justice funding initiative pursuant
28 to section 232.188 relative to the other funding streams
29 and services under the purview of the work group, and make
30 recommendations regarding the future of the initiative
31 including the potential transfer of administration of the
32 initiative from the department to the office of the state court
33 administrator or other appropriate state entity.
- 34 h. Consult with other state juvenile court systems and
35 subject matter experts to review administration of similar

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- 1 programs, to glean information on lessons learned and best
2 practices, and to determine the types of community and
3 residential services that have demonstrated effectiveness for
4 eligible children.
- 5 5. The division of criminal and juvenile justice planning
6 of the department of human rights shall submit a report of the
7 findings and recommendations of the work group, including a
8 plan to implement the recommendations by July 1, 2021, to the
9 governor and the general assembly by December 15, 2019.

DIVISION VIII

MEDICAID MANAGED CARE CONTRACTS

12 Sec. 40. MEDICAID MANAGED CARE CONTRACTS — NOTIFICATION

13 TO GENERAL ASSEMBLY. The department of human services shall
14 notify the chairpersons and ranking members of the joint
15 appropriations subcommittee on health and human services, the
16 legislative services agency, and the legislative caucus staffs
17 as follows:

18 1. Within thirty days of the execution of a Medicaid managed
19 care contract or amendment to a Medicaid managed care contract.

20 2. Within thirty days of the determination by the
21 department during each measurement year whether to return the
22 incentive payment withhold amount to the Medicaid managed care
23 organization based upon performance and the criteria used in
24 making the determination.

25 DIVISION IX

26 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

27 Sec. 41. IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING. The
28 department on aging and the department of human services shall
29 continue to collaborate to develop a cost allocation plan
30 requesting Medicaid administrative funding to provide for the
31 claiming of federal financial participation for aging and
32 disability resource center activities that are performed to
33 assist with administration of the Medicaid program. By January
34 1, 2021, the department of human services shall submit to
35 the centers for Medicare and Medicaid services of the United

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1 States department of health and human services any Medicaid
2 state plan amendment as necessary and shall enter into any
3 interagency agreement with the department on aging to implement
4 this section.

5 DIVISION X

6 DECATEGORYIZATION FY 2017 CARRYOVER FUNDING

7 Sec. 42. DECATEGORYIZATION CARRYOVER FUNDING FY 2017 —
8 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
9 subsection 5, paragraph “b”, any state-appropriated moneys in
10 the funding pool that remained unencumbered or unobligated
11 at the close of the fiscal year beginning July 1, 2016, and
12 were deemed carryover funding to remain available for the two
13 succeeding fiscal years that still remain unencumbered or
14 unobligated at the close of the fiscal year beginning July 1,
15 2018, shall not revert but shall be transferred to the medical
16 assistance program for the fiscal year beginning July 1, 2019.

17 Sec. 43. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 Sec. 44. RETROACTIVE APPLICABILITY. This division of this
20 Act applies retroactively to July 1, 2018.

21 DIVISION XI

22 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

23 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

24 Sec. 45. 2017 Iowa Acts, chapter 174, section 45, as amended
25 by 2018 Iowa Acts, chapter 1165, section 10, is amended to read
26 as follows:

27 SEC. 45. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
28 GRANT. There is appropriated from the fund created in section
29 8.41 to the department of human services for the fiscal year
30 beginning July 1, 2018, and ending June 30, 2019, from moneys
31 received under the federal temporary assistance for needy
32 families (TANF) block grant pursuant to the federal Personal
33 Responsibility and Work Opportunity Reconciliation Act of 1996,
34 Pub. L. No. 104-193, and successor legislation, the following
35 amounts, or so much thereof as is necessary, to be used for the

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1 purposes designated:
2 1. To be credited to the family investment program account
3 and used for assistance under the family investment program
4 under chapter 239B:
5 \$ 4,539,006
6 4,025,108
7 2. To be credited to the family investment program account
8 and used for the job opportunities and basic skills (JOBS)
9 program and implementing family investment agreements in
10 accordance with chapter 239B:
11 \$ 5,412,060
12 5,192,060
13 3. To be used for the family development and
14 self-sufficiency grant program in accordance with section
15 216A.107:
16 \$ 2,883,980
17 2,898,980
18 Notwithstanding section 8.33, moneys appropriated in this
19 subsection that remain unencumbered or unobligated at the close
20 of the fiscal year shall not revert but shall remain available
21 for expenditure for the purposes designated until the close of
22 the succeeding fiscal year. However, unless such moneys are
23 encumbered or obligated on or before September 30, 2019, the
24 moneys shall revert.
25 4. For field operations:
26 \$ 31,206,232
27 32,465,681
28 5. For general administration:
29 \$ 3,744,000
30 6. For state child care assistance:
31 \$ 47,166,826
32 a. Of the funds appropriated in this subsection,
33 \$26,205,412 is transferred to the child care and development
34 block grant appropriation made by the Eighty-seventh General
35 Assembly, 2018 session, for the federal fiscal year beginning

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1 October 1, 2018, and ending September 30, 2019. Of this
2 amount, \$200,000 shall be used for provision of educational

3 opportunities to registered child care home providers in order
 4 to improve services and programs offered by this category
 5 of providers and to increase the number of providers. The
 6 department may contract with institutions of higher education
 7 or child care resource and referral centers to provide
 8 the educational opportunities. Allowable administrative
 9 costs under the contracts shall not exceed 5 percent. The
 10 application for a grant shall not exceed two pages in length.

11 b. Any funds appropriated in this subsection remaining
 12 unallocated shall be used for state child care assistance
 13 payments for families who are employed including but not
 14 limited to individuals enrolled in the family investment
 15 program.

| | | |
|----|--|---------------------|
| 16 | 7. For child and family services: | |
| 17 | ..... | \$ 32,380,654 |
| 18 | 8. For child abuse prevention grants: | |
| 19 | ..... | \$ 125,000 |
| 20 | 9. For pregnancy prevention grants on the condition that | |
| 21 | family planning services are funded: | |
| 22 | ..... | \$ <u>1,013,203</u> |
| 23 | | <u>1,890,203</u> |

24 Pregnancy prevention grants shall be awarded to programs
 25 in existence on or before July 1, 2018, if the programs have
 26 demonstrated positive outcomes. Grants shall be awarded to
 27 pregnancy prevention programs which are developed after July
 28 1, 2018, if the programs are based on existing models that
 29 have demonstrated positive outcomes. Grants shall comply with
 30 the requirements provided in 1997 Iowa Acts, chapter 208,
 31 section 14, subsections 1 and 2, including the requirement that
 32 grant programs must emphasize sexual abstinence. Priority in
 33 the awarding of grants shall be given to programs that serve
 34 areas of the state which demonstrate the highest percentage of
 35 unplanned pregnancies of females of childbearing age within the

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1 geographic area to be served by the grant.

| | | |
|---|--|---------------------|
| 2 | 10. For technology needs and other resources necessary | |
| 3 | to meet federal welfare reform reporting, tracking, and case | |
| 4 | management requirements: | |
| 5 | ..... | \$ <u>1,037,186</u> |
| 6 | | <u>862,186</u> |

7 11. a. Notwithstanding any provision to the contrary,
 8 including but not limited to requirements in section 8.41 or
 9 provisions in 2017 or 2018 Iowa Acts regarding the receipt and
 10 appropriation of federal block grants, federal funds from the
 11 temporary assistance for needy families block grant received by
 12 the state and not otherwise appropriated in this section and
 13 remaining available for the fiscal year beginning July 1, 2018,
 14 are appropriated to the department of human services to the
 15 extent as may be necessary to be used in the following priority
 16 order: the family investment program, for state child care

17 assistance program payments for families who are employed, and
18 for the family investment program share of system costs for
19 eligibility determination and related functions. The federal
20 funds appropriated in this paragraph “a” shall be expended
21 only after all other funds appropriated in subsection 1 for
22 assistance under the family investment program, in subsection 6
23 for child care assistance, or in subsection 10 for technology
24 costs related to the family investment program, as applicable,
25 have been expended. For the purposes of this subsection, the
26 funds appropriated in subsection 6, paragraph “a”, for transfer
27 to the child care and development block grant appropriation
28 are considered fully expended when the full amount has been
29 transferred.
30 b. The department shall, on a quarterly basis, advise the
31 legislative services agency and department of management of
32 the amount of funds appropriated in this subsection that was
33 expended in the prior quarter.
34 12. Of the amounts appropriated in this section,
35 \$12,962,008 for the fiscal year beginning July 1, 2018, is

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1 transferred to the appropriation of the federal social services
2 block grant made to the department of human services for that
3 fiscal year.
4 13. For continuation of the program providing categorical
5 eligibility for the food assistance program as specified
6 for the program in the section of this division of this Act
7 relating to the family investment program account:

| | | |
|---------|----|---------------|
| 8 | \$ | <u>14,236</u> |
| 9 | | <u>13,000</u> |

10 14. The department may transfer funds allocated in this
11 section to the appropriations made in this division of this Act
12 for the same fiscal year for general administration and field
13 operations for resources necessary to implement and operate the
14 services referred to in this section and those funded in the
15 appropriation made in this division of this Act for the same
16 fiscal year for the family investment program from the general
17 fund of the state.

18 15. With the exception of moneys allocated under this
19 section for the family development and self-sufficiency grant
20 program, to the extent moneys allocated in this section are
21 deemed by the department not to be necessary to support the
22 purposes for which they are allocated, such moneys may be
23 used in the same fiscal year for any other purpose for which
24 funds are allocated in this section or in section 7 of this
25 division for the family investment program account. If there
26 are conflicting needs, priority shall first be given to the
27 family investment program account as specified under subsection
28 1 of this section and used for the purposes of assistance under
29 the family investment program under chapter 239B, followed by
30 state child care assistance program payments for families who

31 are employed, followed by other priorities as specified by the
 32 department.
 33 FAMILY INVESTMENT PROGRAM ADJUSTMENTS
 34 Sec. 46. 2017 Iowa Acts, chapter 174, section 46, subsection
 35 4, as amended by 2018 Iowa Acts, chapter 1165, section 11, is

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1 amended to read as follows:
 2 4. Moneys appropriated in this division of this Act and
 3 credited to the FIP account for the fiscal year beginning July
 4 1, 2018, and ending June 30, 2019, are allocated as follows:
 5 a. To be retained by the department of human services to
 6 be used for coordinating with the department of human rights
 7 to more effectively serve participants in FIP and other shared
 8 clients and to meet federal reporting requirements under the
 9 federal temporary assistance for needy families block grant:
 10 \$ 5,000
 11 20,000
 12 b. To the department of human rights for staffing,
 13 administration, and implementation of the family development
 14 and self-sufficiency grant program in accordance with section
 15 216A.107:
 16 \$ 6,192,834
 17 (1) Of the funds allocated for the family development
 18 and self-sufficiency grant program in this paragraph “b”,
 19 not more than 5 percent of the funds shall be used for the
 20 administration of the grant program.
 21 (2) The department of human rights may continue to implement
 22 the family development and self-sufficiency grant program
 23 statewide during fiscal year 2018–2019.
 24 (3) The department of human rights may engage in activities
 25 to strengthen and improve family outcomes measures and
 26 data collection systems under the family development and
 27 self-sufficiency grant program.
 28 c. For the diversion subaccount of the FIP account:
 29 \$ 749,694
 30 815,000
 31 A portion of the moneys allocated for the subaccount may
 32 be used for field operations, salaries, data management
 33 system development, and implementation costs and support
 34 deemed necessary by the director of human services in order to
 35 administer the FIP diversion program. To the extent moneys

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1 allocated in this paragraph “c” are deemed by the department
 2 not to be necessary to support diversion activities, such
 3 moneys may be used for other efforts intended to increase
 4 engagement by family investment program participants in work,
 5 education, or training activities, or for the purposes of
 6 assistance under the family investment program in accordance

| | | |
|----|---|-------------------|
| 7 | with chapter 239B. | |
| 8 | d. For the food assistance employment and training program: | |
| 9 | \$ | 66,588 |
| 10 | (1) The department shall apply the federal supplemental | |
| 11 | nutrition assistance program (SNAP) employment and training | |
| 12 | state plan in order to maximize to the fullest extent permitted | |
| 13 | by federal law the use of the 50 percent federal reimbursement | |
| 14 | provisions for the claiming of allowable federal reimbursement | |
| 15 | funds from the United States department of agriculture | |
| 16 | pursuant to the federal SNAP employment and training program | |
| 17 | for providing education, employment, and training services | |
| 18 | for eligible food assistance program participants, including | |
| 19 | but not limited to related dependent care and transportation | |
| 20 | expenses. | |
| 21 | (2) The department shall continue the categorical federal | |
| 22 | food assistance program eligibility at 160 percent of the | |
| 23 | federal poverty level and continue to eliminate the asset test | |
| 24 | from eligibility requirements, consistent with federal food | |
| 25 | assistance program requirements. The department shall include | |
| 26 | as many food assistance households as is allowed by federal | |
| 27 | law. The eligibility provisions shall conform to all federal | |
| 28 | requirements including requirements addressing individuals who | |
| 29 | are incarcerated or otherwise ineligible. | |
| 30 | e. For the JOBS program: | |
| 31 | \$ | <u>12,130,821</u> |
| 32 | | <u>11,919,821</u> |
| 33 | MEDICAL ASSISTANCE PROGRAM ADJUSTMENT | |
| 34 | Sec. 47. 2017 Iowa Acts, chapter 174, section 51, unnumbered | |
| 35 | paragraph 2, as amended by 2018 Iowa Acts, chapter 1165, | |

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| | | |
|----|--|----------------------|
| 1 | section 18, is amended to read as follows: | |
| 2 | For medical assistance program reimbursement and associated | |
| 3 | costs as specifically provided in the reimbursement | |
| 4 | methodologies in effect on June 30, 2018, except as otherwise | |
| 5 | expressly authorized by law, consistent with options under | |
| 6 | federal law and regulations, and contingent upon receipt of | |
| 7 | approval from the office of the governor of reimbursement for | |
| 8 | each abortion performed under the program: | |
| 9 | \$ | <u>1,337,841,375</u> |
| 10 | | <u>1,488,141,375</u> |
| 11 | GROUP FOSTER CARE REALLOCATION | |
| 12 | Sec. 48. 2017 Iowa Acts, chapter 174, section 57, subsection | |
| 13 | 3, paragraph a, as amended by 2018 Iowa Acts, chapter 1165, | |
| 14 | section 28, is amended to read as follows: | |
| 15 | a. Of the funds appropriated in this section, up to | |
| 16 | \$34,536,648 is allocated as the statewide expenditure target | |
| 17 | under section 232.143 for group foster care maintenance and | |
| 18 | services. If the department projects that such expenditures | |
| 19 | for the fiscal year will be less than the target amount | |
| 20 | allocated in this paragraph "a", the department may reallocate | |

21 the excess to provide additional funding for family foster
22 care, independent living, family safety, risk and permanency
23 services, shelter care, or the child welfare emergency services
24 addressed with the allocation for shelter care.

25 SHELTER CARE ALLOCATION

26 Sec. 49. 2017 Iowa Acts, chapter 174, section 57, subsection
27 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
28 amended to read as follows:

29 6. ~~Notwithstanding section 234.35 or any other provision of~~
30 ~~law to the contrary, state funding~~ Of the funds appropriated
31 in this section, a sufficient amount is allocated for shelter
32 care and the child welfare emergency services contracting
33 implemented to provide for or prevent the need for shelter care
34 ~~shall be limited to \$8,096,158.~~

35 OTHER FUNDING FOR CHILD WELFARE SERVICES

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1 Sec. 50. 2017 Iowa Acts, chapter 174, section 57, subsection
2 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
3 amended by adding the following new subsection:

4 NEW SUBSECTION. 24. If a separate funding source is
5 identified that reduces the need for state funds within an
6 allocation under this section, the allocated state funds may be
7 redistributed to other allocations under this section for the
8 same fiscal year.

9 MEDICAID — INITIAL THREE-DAY REIMBURSEMENT

10 Sec. 51. 2018 Iowa Acts, chapter 1165, section 128,
11 subsection 2, paragraph a, is amended to read as follows:

12 a. If a Medicaid member is receiving court-ordered services
13 ~~or treatment~~ for a substance-related disorder ~~pursuant to~~
14 ~~chapter 125~~ or for a mental illness ~~pursuant to chapter 229,~~
15 ~~such services or treatment~~ shall be provided and reimbursed
16 for an initial period of three days before a managed care
17 organization may apply medical necessity criteria to determine
18 ~~the most if continuation of the service is~~ appropriate
19 ~~services, treatment, or placement for the Medicaid member.~~

20 Sec. 52. EFFECTIVE DATE. This division of this Act, being
21 deemed of immediate importance, takes effect upon enactment.

22 Sec. 53. RETROACTIVE APPLICABILITY. This division of this
23 Act applies retroactively to July 1, 2018.

24 DIVISION XII

25 HOSPITAL HEALTH CARE ACCESS ASSESSMENT PROGRAM FUTURE REPEAL

26 Sec. 54. Section 249M.5, Code 2019, is amended to read as
27 follows:

28 **249M.5 Future repeal.**

29 This chapter is repealed July 1, ~~2019~~ 2021.

30 Sec. 55. EFFECTIVE DATE. This division of this Act, being
31 deemed of immediate importance, takes effect upon enactment.

32 DIVISION XIII

33 MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS

34 Sec. 56. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER

35 OF FUNDS. Notwithstanding section 331.432, a county with a

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1 population of over 300,000 based on the most recent federal
2 decennial census, may transfer funds from any other fund of the
3 county to the mental health and disability regional services
4 fund for the purposes of providing mental health and disability
5 services for the fiscal year beginning July 1, 2019, and
6 ending June 30, 2020. The county shall submit a report to
7 the governor and the general assembly by September 1, 2020,
8 including the source of any funds transferred, the amount of
9 the funds transferred, and the mental health and disability
10 services provided with the transferred funds.

11 DIVISION XIV
12 APPROPRIATION TO BOARD OF REGENTS — PSYCHIATRIC PROFESSIONALS

13 Sec. 57. There is appropriated from the general fund of
14 the state to the state board of regents for the fiscal year
15 beginning July 1, 2019, and ending June 30, 2020, the following
16 amounts, or so much thereof as is necessary, to be used for the
17 purposes designated:

18 1. For rural psychiatric residencies to support the annual
19 creation and training of four psychiatric residents who will
20 provide mental health services in underserved areas of the
21 state:
22 \$ 400,000

23 2. For psychiatric training to increase access to mental
24 health care services by expanding the mental health workforce
25 via training of additional physician assistants and nurse
26 practitioners:
27 \$ 150,000

28 DIVISION XV
29 MEDICAL ASSISTANCE ADVISORY COUNCIL

30 Sec. 58. Section 217.3, subsection 4, Code 2019, is amended
31 to read as follows:

32 4. Approve the budget of the department of human services
33 prior to submission to the governor. Prior to approval of the
34 budget, the council shall publicize and hold a public hearing
35 to provide explanations and hear questions, opinions, and

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1 suggestions regarding the budget. Invitations to the hearing
2 shall be extended to the governor, the governor-elect, the
3 director of the department of management, and other persons
4 deemed by the council as integral to the budget process. The
5 budget materials submitted to the governor shall include a
6 review of options for revising the medical assistance program
7 made available by federal action or by actions implemented
8 by other states as identified by the department, the medical
9 assistance advisory council ~~and the executive committee of the~~
10 ~~medical assistance advisory council~~ created in section 249A.4B,

11 and by county representatives. The review shall address what
12 potential revisions could be made in this state and how the
13 changes would be beneficial to Iowans.

14 Sec. 59. Section 249A.4B, Code 2019, is amended to read as
15 follows:

16 **249A.4B Medical assistance advisory council.**

17 1. A medical assistance advisory council is created to
18 comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of
19 the federal Social Security Act and to advise the director
20 about health and medical care services under the medical
21 assistance program. The council shall meet no more than
22 quarterly. The director of public health and a public member
23 of the council selected by the public members of the council
24 ~~specified in subsection 2, paragraph "b"~~ shall serve as
25 co-chairpersons of the council.

26 2.a. The council shall consist of the following voting
27 members:

28 (1) Five professional or business entity members selected
29 by the entities specified pursuant to subsection 3, paragraph
30 "a".

31 (2) Five public members appointed pursuant to subsection 3,
32 paragraph "b". Of the five public members, at least one member
33 shall be a recipient of medical assistance.

34 b. The council shall include all of the following nonvoting
35 members:

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1 (1) The director of public health, or the director's
2 designee.

3 (2) The director of the department on aging, or the
4 director's designee.

5 (3) The long-term care ombudsman, or the long-term care
6 ombudsman's designee.

7 (4) The dean of Des Moines university — osteopathic medical
8 center, or the dean's designee.

9 (5) The dean of the university of Iowa college of medicine,
10 or the dean's designee.

11 (6) A member of the hawk-i board created in section 514I.5,
12 selected by the members of the hawk-i board.

13 (7) The following members of the general assembly, each for
14 a term of two years as provided in section 69.16B:

15 (a) Two members of the house of representatives, one
16 appointed by the speaker of the house of representatives
17 and one appointed by the minority leader of the house of
18 representatives from their respective parties.

19 (b) Two members of the senate, one appointed by the
20 president of the senate after consultation with the majority
21 leader of the senate and one appointed by the minority leader
22 of the senate.

23 ~~2. 3.~~ The voting membership of the council shall include
24 all of the following voting members be selected or appointed

25 as follows:

- 26 a. The five professional or business entity members shall
27 be selected by the entities specified under this paragraph "a".
28 The five professional or business entity members selected shall
29 be the president, or the president's representative, of each
30 of the following professional or business entities entity, or
31 a member of each of the following professional or business
32 entities, selected entity, designated by the entity:
33 (1) The Iowa medical society.
34 (2) The Iowa osteopathic medical association.
35 (3) The Iowa academy of family physicians.

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- 1 (4) The Iowa chapter of the American academy of pediatrics.
2 (5) The Iowa physical therapy association.
3 (6) The Iowa dental association.
4 (7) The Iowa nurses association.
5 (8) The Iowa pharmacy association.
6 (9) The Iowa podiatric medical society.
7 (10) The Iowa optometric association.
8 (11) The Iowa association of community providers.
9 (12) The Iowa psychological association.
10 (13) The Iowa psychiatric society.
11 (14) The Iowa chapter of the national association of social
12 workers.
13 (15) The coalition for family and children's services in
14 Iowa.
15 (16) The Iowa hospital association.
16 (17) The Iowa association of rural health clinics.
17 (18) The Iowa primary care association.
18 (19) Free clinics of Iowa.
19 (20) The opticians' association of Iowa, inc.
20 (21) The Iowa association of hearing health professionals.
21 (22) The Iowa speech and hearing association.
22 (23) The Iowa health care association.
23 (24) The Iowa association of area agencies on aging.
24 (25) AARP.
25 (26) The Iowa caregivers association.
26 (27) Leading age Iowa.
27 (28) The Iowa association for home care.
28 (29) The Iowa council of health care centers.
29 (30) The Iowa physician assistant society.
30 (31) The Iowa association of nurse practitioners.
31 (32) The Iowa nurse practitioner society.
32 (33) The Iowa occupational therapy association.
33 (34) The ARC of Iowa, formerly known as the association for
34 retarded citizens of Iowa.
35 (35) The national alliance on mental illness.

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- 1 (36) The Iowa state association of counties.
- 2 (37) The Iowa developmental disabilities council.
- 3 (38) The Iowa chiropractic society.
- 4 (39) The Iowa academy of nutrition and dietetics.
- 5 (40) The Iowa behavioral health association.
- 6 (41) The midwest association for medical equipment services
- 7 or an affiliated Iowa organization.
- 8 ~~b. Ten~~ The five public members shall be public
- 9 representatives which may include members of consumer groups,
- 10 including recipients of medical assistance or their families,
- 11 consumer organizations, and others, appointed by the governor
- 12 for staggered terms of two years each, none of whom shall be
- 13 members of, or practitioners of, or have a pecuniary interest
- 14 in any of the professional or business entities specifically
- 15 represented under paragraph "a", ~~and a majority of whom shall be~~
- 16 ~~current or former recipients of medical assistance or members~~
- 17 ~~of the families of current or former recipients.~~
- 18 ~~e. A member of the hawk i board created in section 514I.5,~~
- 19 ~~selected by the members of the hawk i board.~~
- 20 ~~2. The council shall include all of the following nonvoting~~
- 21 ~~members:~~
- 22 ~~a. The director of public health, or the director's~~
- 23 ~~designee.~~
- 24 ~~b. The director of the department on aging, or the~~
- 25 ~~director's designee.~~
- 26 ~~c. The long term care ombudsman, or the long term care~~
- 27 ~~ombudsman's designee.~~
- 28 ~~d. The dean of Des Moines university — osteopathic medical~~
- 29 ~~center, or the dean's designee.~~
- 30 ~~e. The dean of the university of Iowa college of medicine,~~
- 31 ~~or the dean's designee.~~
- 32 ~~f. The following members of the general assembly, each for a~~
- 33 ~~term of two years as provided in section 60.16B:~~
- 34 ~~(1) Two members of the house of representatives, one~~
- 35 ~~appointed by the speaker of the house of representatives~~

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- 1 ~~and one appointed by the minority leader of the house of~~
- 2 ~~representatives from their respective parties.~~
- 3 ~~(2) Two members of the senate, one appointed by the~~
- 4 ~~president of the senate after consultation with the majority~~
- 5 ~~leader of the senate and one appointed by the minority leader~~
- 6 ~~of the senate.~~
- 7 ~~4.a. An executive committee of the council is created and~~
- 8 ~~shall consist of the following members of the council:~~
- 9 ~~(1) Five of the professional or business entity members~~
- 10 ~~designated pursuant to subsection 2, paragraph "a", and~~
- 11 ~~selected by the members specified under that paragraph, as~~
- 12 ~~voting members.~~

13 ~~(2) Five of the public members appointed pursuant to~~
14 ~~subsection 2, paragraph "b," and selected by the members~~
15 ~~specified under that paragraph, as voting members. Of the five~~
16 ~~public members, at least one member shall be a recipient of~~
17 ~~medical assistance.~~

18 ~~(3) The director of public health, or the director's~~
19 ~~designee, as a nonvoting member.~~

20 ~~b. The executive committee shall meet on a monthly basis.~~
21 ~~The director of public health and the public member serving as~~
22 ~~co chairperson of the council shall serve as co chairpersons of~~
23 ~~the executive committee.~~

24 ~~or 4. Based upon the deliberations of the council and the~~
25 ~~executive committee, the executive committee council shall make~~
26 ~~recommendations to the director regarding the budget, policy,~~
27 ~~and administration of the medical assistance program.~~

28 5. For each council meeting, other than those held during
29 the time the general assembly is in session, each legislative
30 member of the council shall be reimbursed for actual travel
31 and other necessary expenses and shall receive a per diem as
32 specified in section 7E.6 for each day in attendance, as shall
33 the members of the council ~~or the executive committee~~ who are
34 recipients or the family members of recipients of medical
35 assistance, regardless of whether the general assembly is in

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1 session.

2 6. The department shall provide staff support and
3 independent technical assistance to the council ~~and the~~
4 ~~executive committee.~~

5 7. The director shall consider the recommendations offered
6 by the council ~~and the executive committee~~ in the director's
7 preparation of medical assistance budget recommendations to
8 the council on human services pursuant to section 217.3 and in
9 implementation of medical assistance program policies.

10 DIVISION XVI
11 TELEPHARMACY

12 Sec. 60. Section 155A.13, subsection 3, Code 2019, is
13 amended to read as follows:

14 3. a. The board may issue a special or limited-use pharmacy
15 license based upon special conditions of use imposed pursuant
16 to rules adopted by the board for cases in which the board
17 determines that certain requirements may be waived.

18 b. The board shall adopt rules for the issuance of a special
19 or limited-use pharmacy license to a telepharmacy site. The
20 rules shall address:

21 (1) Requirements for establishment and operation of a
22 telepharmacy site, including but not limited to physical
23 requirements and required policies and procedures.

24 (2) Requirements for being a managing pharmacy.

25 (3) Requirements governing operating agreements between
26 telepharmacy sites and managing pharmacies.

27 (4) Training and experience required for certified pharmacy
28 technicians working at a telepharmacy site.
29 (5) Requirements for a pharmacist providing services to and
30 supervising a telepharmacy site.
31 (6) Any other health and safety concerns associated with a
32 telepharmacy site.
33 ~~c. The board shall not issue a special or limited use~~
34 ~~pharmacy license to a proposed telepharmacy site if a licensed~~
35 ~~pharmacy that dispenses prescription drugs to outpatients is~~

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1 ~~located within ten miles by the shortest driving distance of~~
2 ~~the proposed telepharmacy site unless the proposed telepharmacy~~
3 ~~site is located on property owned, operated, or leased~~
4 ~~by the state or unless the proposed telepharmacy site is~~
5 ~~located within a hospital campus and is limited to inpatient~~
6 ~~dispensing. The mileage requirement does not apply to a~~
7 ~~telepharmacy site that has been approved by the board and is~~
8 ~~operating as a telepharmacy prior to July 1, 2016.~~
9 ~~d. An applicant seeking a special or limited use pharmacy~~
10 ~~license for a proposed telepharmacy site that does not meet the~~
11 ~~mileage requirement established in paragraph "c" and is not~~
12 ~~statutorily exempt from the mileage requirement may apply to~~
13 ~~the board for a waiver of the mileage requirement. A waiver~~
14 ~~request shall only be granted if the applicant can demonstrate~~
15 ~~to the board that the proposed telepharmacy site is located in~~
16 ~~an area where there is limited access to pharmacy services and~~
17 ~~can establish the existence of compelling circumstances that~~
18 ~~justify waiving the mileage requirement. The board's decision~~
19 ~~to grant or deny a waiver request shall be a proposed decision~~
20 ~~subject to mandatory review by the director of public health.~~
21 ~~The director shall review a proposed decision and shall have~~
22 ~~the power to approve, modify, or veto a proposed decision. The~~
23 ~~director's decision on a waiver request shall be considered~~
24 ~~final agency action subject to judicial review under chapter~~
25 ~~17A.~~
26 ~~e. c.~~ The board shall issue a special or limited-use
27 pharmacy license to a telepharmacy site that meets the minimum
28 requirements established by the board by rule.

29 DIVISION XVII

30 MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY ADMITTED FOR
31 PERMANENT RESIDENCE
32 Sec. 61. MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY
33 ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES WITHOUT
34 APPLICATION OF FIVE-YEAR WAITING PERIOD.
35 1. The department of human services shall seek a waiver from

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1 the centers for Medicare and Medicaid services of the United
2 States department of health and human services to provide

3 coverage under the Medicaid program for pregnant women lawfully
4 admitted for permanent residence in the United States, without
5 application of the five-year waiting period.

6 2. If federal approval is received by the department, the
7 department shall provide Medicaid coverage for pregnant women
8 lawfully admitted for permanent residence in the United States,
9 without application of the five-year waiting period, effective
10 the first day of the month following the department's receipt
11 of federal approval.

12 3. The department of human services may adopt emergency
13 rules to implement this section.

14 DIVISION XVIII

15 CO-OCCURRING CONDITIONS — ENHANCED DELIVERY OF SERVICES REVIEW

16 Sec. 62. REVIEW TO PROVIDE ENHANCED DELIVERY OF SERVICES
17 FOR CO-OCCURRING CONDITIONS. The director of the department
18 of public health and the director of the department of human
19 services shall develop recommendations for the enhanced
20 delivery of co-occurring conditions services. The directors
21 shall examine the current service delivery system to identify
22 opportunities for reducing the administrative burden on the
23 departments and providers, evaluate the use of an integrated
24 helpline and website and improvements in data collection
25 and sharing of outcomes, and create a structure for ongoing
26 collaboration. The directors shall submit a report including
27 findings, a five-year plan to address co-occurring conditions
28 across provider types and payors, and other recommendations to
29 the governor and general assembly by December 15, 2019.

30 DIVISION XIX

31 MEDICAID MANAGED CARE TERMINATION — EXPEDITED CLAIMS DISPUTE 32 PROCESS

33 Sec. 63. MEDICAID MANAGED CARE TERMINATION — EXPEDITED
34 CLAIMS DISPUTE PROCESS. No later than July 1, 2019, the
35 department of human services shall require an expedited claims

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1 dispute process for all outstanding claims to be applicable
2 if a managed care organization terminates coverage under the
3 Medicaid program. Such an expedited claims dispute process
4 shall, beginning on the date a managed care organization
5 terminates coverage, allow a provider, a member, or a member's
6 authorized representative the option to dispute the managed
7 care organization's claim adjudication within the required time
8 frames and consistent with this section. The managed care
9 organization shall report all disputed claims being processed
10 and the outcomes of such disputed claims to the department on a
11 monthly basis for at least two years following termination of
12 the managed care organization's contract with the state.

13 Sec. 64. EFFECTIVE DATE. This division of this Act, being
14 deemed of immediate importance, takes effect upon enactment.

15 DIVISION XX

16 MEDICAID MEDICAL PRIOR AUTHORIZATION — UNIFORM PROCESS —

17 CENTRAL PORTAL

18 Sec. 65. MEDICAID — MEDICAL PRIOR AUTHORIZATION UNIFORM
 19 PROCESS. The department of human services shall adopt rules
 20 pursuant to chapter 17A by October 1, 2019, to require that
 21 both managed care and fee-for-service payment and delivery
 22 systems utilize a uniform process, including but not limited to
 23 uniform forms, information requirements, and time frames, to
 24 request medical prior authorization under the Medicaid program.
 25 The rules shall require the managed care organizations,
 26 by contract, to implement the uniform process by a date as
 27 determined by the department.

28 Sec. 66. MEDICAID MANAGEMENT INFORMATION SYSTEM — CENTRAL
 29 PORTAL — REVIEW. The department shall review the costs
 30 associated with expanding the medical assistance management
 31 information system to integrate a single, statewide system to
 32 serve as a central portal for submission of all medical prior
 33 authorization requests for the Medicaid program. The portal
 34 shall not be designed to make or review final determinations
 35 of managed care organization medical prior authorization

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1 requests, but shall only serve as a conduit to deliver medical
 2 prior authorization requests to the appropriate managed care
 3 organization. The results of the study shall be submitted to
 4 the governor and the general assembly no later than March 31,
 5 2020.

6 Sec. 67. EFFECTIVE DATE. This division of this Act, being
 7 deemed of immediate importance, takes effect upon enactment.>

COMMITTEE ON APPROPRIATIONS
 MICHAEL BREITBACH, Chair

S-3202

1 Amend Senate File 614 as follows:

2 1. Page 4, line 3, after <subparagraph> by inserting
 3 <subdivision>

JEFF EDLER

S-3203

HOUSE AMENDMENT TO
 SENATE FILE 306

1 Amend Senate File 306as follows:

2 1. Page 1, after line 19 by inserting:

3 <Sec. ____ NEW SECTION. **455A.14B Waubonsie state park user**
 4 **fee pilot program.**

5 1. A Waubonsie state park user fee pilot program is

6 established within the department. Notwithstanding section
7 461A.35A, the department shall develop and administer the pilot
8 program at Waubonsie state park as follows:

9 a. The department shall charge an entrance fee of five
10 dollars per vehicle for a nonresident of the state.

11 b. A nonresident may pay a fee of forty dollars for an
12 annual pass that grants daily entrance into the state park
13 through one year after the date of purchase. The nonresident
14 may purchase a second annual pass for use for a different
15 vehicle for fifteen dollars.

16 c. The department has the authority to charge separate
17 fees to a resident and nonresident for campsite and shelter
18 reservations and for beach access.

19 d. The department shall determine the most effective and
20 efficient way to collect fees and provide proof of payment.

21 2. This section is repealed July 1, 2022.>

22 2. Title page, by striking line 2 and inserting <program and
23 a Waubonsie state park user fee pilot program.>

S-3204

HOUSE AMENDMENT TO SENATE FILE 502

1 Amend Senate File 502, as passed by the Senate, as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 70A.28, subsections 2 and 5, Code 2019,
4 are amended to read as follows:

5 2. A person shall not discharge an employee from or take
6 or fail to take action regarding an employee's appointment or
7 proposed appointment to, promotion or proposed promotion to,
8 or any advantage in, a position in a state employment system
9 administered by, or subject to approval of, a state agency as a
10 reprisal for a failure by that employee to inform the person
11 that the employee made a disclosure of information permitted
12 by this section, or for a disclosure of any information by
13 that employee to a member or employee of the general assembly,
14 a disclosure of information to the office of ombudsman, a
15 disclosure of information to a person providing human resource
16 management for the state, or a disclosure of information to
17 any other public official or law enforcement agency if the
18 employee, in good faith, reasonably believes the information
19 evidences a violation of law or rule, mismanagement, a gross
20 abuse of funds, an abuse of authority, or a substantial and
21 specific danger to public health or safety. However, an
22 employee may be required to inform the person that the employee
23 made a disclosure of information permitted by this section if
24 the employee represented that the disclosure was the official
25 position of the employee's immediate supervisor or employer.

26 5. Subsection 2 may be enforced through a civil action.

27 a. A person who violates subsection 2 is liable to

28 an aggrieved employee for affirmative relief including
29 reinstatement, with or without back pay, ~~or~~ civil damages in an
30 amount not to exceed three times the annual wages and benefits
31 received by the aggrieved employee prior to the violation of
32 subsection 2, and any other equitable relief the court deems
33 appropriate, including attorney fees and costs.
34 b. When a person commits, is committing, or proposes to
35 commit an act in violation of subsection 2, an injunction may

Page 2

1 be granted through an action in district court to prohibit the
2 person from continuing such acts. The action for injunctive
3 relief may be brought by an aggrieved employee, ~~or~~ the attorney
4 general, or a person providing human resource management for
5 the state.>
6 2. Page 1, line 13, after <employee> by inserting <in good
7 faith.>
8 3. Title page, line 2, after <employees of> by inserting
9 <the state and>
10 4. By renumbering as necessary.

S-3205

1 Amend Senate File 525 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. NEW SECTION. 692C.1 National criminal history
5 record checks — persons providing child care, elder care, and
6 care for individuals with disabilities.
7 1. For purposes of this section:
8 a. “Covered individual” means an individual who has, seeks
9 to have, or may have access to children, the elderly, or
10 individuals with disabilities served by a qualified entity and
11 who is employed by volunteers with, or seeks to volunteer with
12 a qualified entity; or owns or operates or seeks to own or
13 operate, a qualified entity.
14 b. “Department” means the department of public safety.
15 c. “Qualified entity” means a business or organization,
16 whether public, private, for-profit, nonprofit, or voluntary,
17 that provides care or care placement services, including a
18 business or organization that licenses or certifies others to
19 provide care or care placement services.
20 2. A qualified entity may request a national criminal
21 history record check by the federal bureau of investigation on
22 covered individuals through the department of public safety.
23 3. The qualified entity shall submit fingerprints and
24 other identifying information to the division of criminal
25 investigation of the department on a form and in a manner as
26 prescribed by the department. The department shall submit the
27 information through the state criminal history repository to
28 the federal bureau of investigation.

29 4. The department may use authority conferred under the
30 National Child Protection Act, as codified in 34 U.S.C. §40104,
31 in conducting national criminal history record checks on
32 covered individuals.
33 5. The department may require a qualified entity to pay a
34 fee associated with a national criminal history record check.
35 The fee shall not exceed the actual cost of the national

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1 criminal history record check.
2 6. The results of national criminal history record checks
3 are a confidential record under section 22.7.
4 7. The department shall adopt rules as necessary for the
5 administration of this section pursuant to chapter 17A.>

JULIAN B. GARRETT

S-3206

1 Amend Senate File 634 as follows:
2 1. By striking page 1, line 1, through page 31, line 19, and
3 inserting:
4 <DIVISION I
5 COUNTY AND CITY PROPERTY TAX PUBLIC HEARING AND RESOLUTION
6 Section 1. Section 24.17, unnumbered paragraph 1, Code
7 2019, is amended to read as follows:
8 The local budgets of the various political subdivisions
9 shall be certified by the chairperson of the certifying board
10 or levying board, as the case may be, in duplicate to the
11 county auditor not later than March 15 of each year on forms,
12 and pursuant to instructions, prescribed by the department of
13 management. However, if the political subdivision is a county
14 or a city, its budget shall be certified not later than March
15 31 of each year, and if the political subdivision is a school
16 district, as defined in section 257.2, its budget shall be
17 certified not later than April 15 of each year.
18 Sec. ____ Section 24.27, Code 2019, is amended to read as
19 follows:
20 **24.27 Protest to budget.**
21 Not later than March 25, or April 10 for a county or a
22 city, or April 25 if the municipality is a school district, a
23 number of persons in any municipality equal to one-fourth of
24 one percent of those voting for the office of governor, at the
25 last general election in the municipality, but the number shall
26 not be less than ten, and the number need not be more than
27 one hundred persons, who are affected by any proposed budget,
28 expenditure or tax levy, or by any item thereof, may appeal
29 from any decision of the certifying board or the levying board
30 by filing with the county auditor of the county in which the
31 municipal corporation is located, a written protest setting
32 forth their objections to the budget, expenditure or tax levy,

33 or to one or more items thereof, and the grounds for their
34 objections. If a budget is certified after March 15, or March
35 31 in the case of a county or a city, or April 15 in the case of

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1 a school district, all appeal time limits shall be extended to
2 correspond to allowances for a timely filing. Upon the filing
3 of a protest, the county auditor shall immediately prepare
4 a true and complete copy of the written protest, together
5 with the budget, proposed tax levy or expenditure to which
6 objections are made, and shall transmit them forthwith to the
7 state board, and shall also send a copy of the protest to the
8 certifying board or to the levying board, as the case may be.
9 Sec. ____ Section 24.48, subsection 4, Code 2019, is amended
10 to read as follows:

11 ~~4.~~ The city finance committee shall have officially
12 notified any city of its approval, modification or rejection
13 of the city's appeal of the decision of the director of the
14 department of management regarding a city's request for a
15 suspension of the statutory property tax levy limitation prior
16 to thirty-five days before March ~~15~~ 31.

17 ~~b. The state appeals board shall have officially notified~~
18 ~~any county of its approval, modification or rejection of the~~
19 ~~county's request for a suspension of the statutory property tax~~
20 ~~levy limitation prior to thirty five days before March 15.~~

21 Sec. ____ Section 76.2, subsection 1, paragraph b, Code
22 2019, is amended to read as follows:

23 b. If the resolution is filed prior to April 1, or April 15,
24 if the political subdivision is a county or a city, or May 1, if
25 the political subdivision is a school district, the annual levy
26 shall begin with the tax levy for collection commencing July
27 1 of that year. If the resolution is filed on or after April
28 1, or April 15, in the case of a county or a city, or May 1, in
29 the case of a school district, the annual levy shall begin with
30 the tax levy for collection in the next succeeding fiscal year.
31 However, the governing authority of a political subdivision may
32 adjust a levy of taxes made under this section for the purpose
33 of adjusting the annual levies and collections for property
34 severed from the political subdivision, subject to the approval
35 of the director of the department of management.

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1 Sec. ____ **NEW SECTION. 331.433A Resolution establishing**
2 **maximum property tax dollars — notice — hearing.**

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "*Budget year*" is the fiscal year beginning during the
6 calendar year in which a budget is certified.

7 b. "*Current fiscal year*" is the fiscal year ending during
8 the calendar year in which a budget for the budget year is

9 certified.

10 c. *“Effective property tax rate”* means the property tax rate
11 per one thousand dollars of assessed value and is equal to
12 one thousand multiplied by the quotient of the current fiscal
13 year’s actual property tax dollars certified for levy under
14 the levies specified in subsection 2, paragraph *“a”* or *“b”*,
15 as applicable, divided by the total assessed value used to
16 calculate taxes for the budget year.

17 2. For budget years beginning on or after July 1, 2020,
18 prior to filing the proposed budget with the auditor under
19 section 331.434, subsection 2, the board shall adopt a
20 resolution establishing the total maximum property tax dollars
21 that may be certified for levy for general county services and
22 the total maximum property tax dollars that may be certified
23 for levy for rural county services that includes the following,
24 as applicable:

25 a. For general county services, the sum of the property
26 tax dollars levied under section 331.423, subsection 1,
27 section 331.424, subsection 1, and those amounts for general
28 county services under section 331.426, but excluding additions
29 approved at election under section 331.425.

30 b. For rural county services, the sum of the property tax
31 dollars levied under section 331.423, subsection 2, section
32 331.424, subsection 2, and those amounts for rural county
33 services under section 331.426, but excluding additions
34 approved at election under section 331.425.

35 3. The maximum property tax dollars calculated and approved

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1 by resolution under this section includes those amounts
2 received by the county as replacement taxes under chapter 437A
3 or 437B.

4 4.a. The board shall set a time and place for a public
5 hearing on the resolution before the date for adoption of the
6 resolution and shall publish notice of the hearing not less
7 than ten nor more than twenty days prior to the hearing in the
8 county newspapers selected under chapter 349. If the county
9 has an internet site, the notice shall also be posted and
10 clearly identified on the county’s internet site for public
11 viewing beginning on the date of the newspaper publication.
12 Additionally, if the county maintains a social media account
13 on one or more social media applications, the public hearing
14 notice or an electronic link to the public hearing notice
15 shall be posted on each such account on the same day as the
16 publication of the notice. All of the following shall be
17 included in the notice:

18 (1) The sum of the current fiscal year’s actual property
19 taxes certified for levy for general county services and the
20 sum of the current fiscal year’s actual property taxes for
21 rural county services under the levies specified in subsection
22 2, paragraphs *“a”* and *“b”*, and the current fiscal year’s

23 combined property tax levy rate for each such amount.

24 (2) The effective tax rate for general county services and
25 the effective tax rate for rural county services calculated
26 using the sum of the current fiscal year's actual property
27 taxes certified for levy for general county services and
28 the sum of the current fiscal year's actual property taxes
29 certified for levy for rural county services under the
30 levies specified in subsection 2, paragraphs "a" and "b", as
31 applicable.

32 (3) The proposed maximum property tax dollars that may be
33 certified for levy for general county services and certified
34 for levy for rural county services under the levies specified
35 in subsection 2, paragraphs "a" and "b", as applicable, for the

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1 budget year and the proposed corresponding combined property
2 tax levy rate for each such amount.

3 (4) If the proposed maximum property tax dollars specified
4 under subparagraph (3) for either general county services
5 or rural county services exceeds the current fiscal year's
6 actual property tax dollars certified for levy for general
7 county services or for rural county services as specified in
8 subparagraph (1), a statement of the major reasons for the
9 increase.

10 b. Proof of publication shall be filed with and preserved
11 by the auditor. The department of management shall prescribe
12 the form for the public hearing notice for use by counties and
13 the form for the resolution to be adopted by the board under
14 subsection 5.

15 5. a. At the public hearing, the board shall receive oral
16 or written objections from any resident or property owner
17 of the county. After all objections have been received and
18 considered, the board may decrease, but not increase, the
19 proposed maximum property tax dollar amounts for inclusion in
20 the resolution and shall adopt the resolution and file the
21 resolution with the auditor as required under section 331.434,
22 subsection 3.

23 b. If the sum of the maximum property tax dollars for the
24 budget year specified in the resolution for either general
25 county services or for rural county services under the
26 levies specified in subsection 2, paragraphs "a" and "b", as
27 applicable, exceeds one hundred two percent of the sum of the
28 current fiscal year's actual property taxes certified for levy
29 for general county services or rural county services under the
30 levies specified in subsection 2, paragraphs "a" and "b", as
31 applicable, the board shall be required to adopt the resolution
32 by a two-thirds majority of the membership of the board.

33 c. If the county has an internet site, in addition to
34 filing the resolution with the auditor under section 331.434,
35 subsection 3, the adopted resolution shall be posted and

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1 clearly identified on the county's internet site for public
2 viewing within ten days of approval by the board. The posted
3 resolution for a budget year shall continue to be accessible
4 for public viewing on the internet site along with resolutions
5 posted for all subsequent budget years.

6 Sec. _____. Section 331.434, unnumbered paragraph 1, Code
7 2019, is amended to read as follows:

8 Annually, the board of each county, subject to section
9 331.403, subsection 4, sections 331.423 through 331.426,
10 section 331.433A, and other applicable state law, shall prepare
11 and adopt a budget, certify taxes, and provide appropriations
12 as follows:

13 Sec. _____. Section 331.434, subsection 3, Code 2019, is
14 amended to read as follows:

15 3. ~~The Following, and not until adoption of the resolution~~
16 under section 331.433A, the board shall set a time and
17 place for a public hearing on the budget before the final
18 certification date and shall publish notice of the hearing not
19 less than ten nor more than twenty days prior to the hearing in
20 the county newspapers selected under chapter 349. A summary
21 of the proposed budget and a description of the procedure for
22 protesting the county budget under section 331.436, in the form
23 prescribed by the director of the department of management,
24 shall be included in the notice. Proof of publication of the
25 notice under this subsection 3 and a copy of the resolution
26 adopted under section 331.433A shall be filed with and
27 preserved by the auditor. A levy is not valid unless and until
28 the notice is published and the notice and resolution adopted
29 under section 331.433A are filed. The department of management
30 shall prescribe the form for the public hearing notice for use
31 by counties.

32 Sec. _____. Section 331.434, subsection 5, paragraph a, Code
33 2019, is amended to read as follows:

34 a. After the hearing, the board shall adopt by resolution
35 a budget and certificate of taxes for the next fiscal year

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1 and shall direct the auditor to properly certify and file the
2 budget and certificate of taxes as adopted. The board shall
3 not adopt a tax in excess of the estimate published or the
4 applicable amounts specified in the resolution adopted under
5 section 331.433A, except a tax which is approved by a vote of
6 the people, and a greater tax than that adopted shall not be
7 levied or collected. A county budget and certificate of taxes
8 adopted for the following fiscal year becomes effective on the
9 first day of that year.

10 Sec. _____. Section 331.434, subsection 7, Code 2019, is
11 amended to read as follows:

12 7. Taxes levied by a county whose budget is certified after

13 March ~~15~~ 31 shall be limited to the prior year's budget amount.
14 However, this penalty may be waived by the director of the
15 department of management if the county demonstrates that the
16 March ~~15~~ 31 deadline was missed because of circumstances beyond
17 the control of the county.

18 Sec. ____ Section 331.435, Code 2019, is amended to read as
19 follows:

20 **331.435 Budget amendment.**

21 1. The board may amend the adopted county budget, subject
22 to sections 331.423 through 331.426 and other applicable state
23 law, to permit increases in any class of proposed expenditures
24 contained in the budget summary published under section
25 331.434, subsection 3.

26 2. The board shall prepare and adopt a budget amendment in
27 the same manner as the original budget, as provided in section
28 331.434, but excluding the requirements for adoption of the
29 resolution under section 331.433A, and the amendment is subject
30 to protest as provided in section 331.436, except that the
31 director of the department of management may by rule provide
32 that amendments of certain types or up to certain amounts may
33 be made without public hearing and without being subject to
34 protest. A county budget for the ensuing fiscal year shall be
35 amended by May 31 to allow time for a protest hearing to be

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1 held and a decision rendered before June 30. An amendment of
2 a budget after May 31 which is properly appealed but without
3 adequate time for hearing and decision before June 30 is void.

4 Sec. ____ Section 331.436, Code 2019, is amended to read as
5 follows:

6 **331.436 Protest.**

7 Protests to the adopted budget must be made in accordance
8 with sections 24.27 through 24.32 as if the county were the
9 municipality under those sections except that the protest
10 must be filed no later than April 10 and the number of people
11 necessary to file a protest under this section shall not be
12 less than one hundred.

13 Sec. ____ Section 384.2, unnumbered paragraph 1, Code 2019,
14 is amended to read as follows:

15 Except as otherwise provided for special charter cities,
16 a city's fiscal year shall be as provided in section 24.2,
17 subsection 3. All city property taxes must be certified by a
18 city to the county auditor on or before ~~the fifteenth day of~~
19 March 31 of each year, unless otherwise provided by state law.
20 However, municipal utilities, if not supported by taxation
21 or the proceeds of outstanding indebtedness payable from
22 taxes may, with the council's consent, choose to operate on a
23 fiscal year which is the calendar year. The receipt by the
24 utility of payments from other governmental funds for public
25 fire protection, street lighting, or other public use of the
26 utility's services shall not be deemed support by taxation.

27 After notice and hearing in the same manner as required for the
28 city's regular budget under section 384.16, the utility budget
29 must be approved by resolution of the council not later than
30 twenty days prior to the beginning of the calendar year for
31 which the budget applies.
32 Sec. ____ NEW SECTION. **384.15A Resolution establishing**
33 **maximum property tax dollars — notice — hearing.**
34 1. For purposes of this section, unless the context
35 otherwise requires:

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1 a. "*Budget year*" is the fiscal year beginning during the
2 calendar year in which a budget is certified.
3 b. "*Current fiscal year*" is the fiscal year ending during
4 the calendar year in which a budget for the budget year is
5 certified.
6 c. "*Effective property tax rate*" means the property tax rate
7 per one thousand dollars of assessed value and is equal to
8 one thousand multiplied by the quotient of the current fiscal
9 year's actual property tax dollars certified for levy under the
10 levies specified in subsection 2 divided by the total assessed
11 value used to calculate taxes for the budget year.
12 2. For budget years beginning on or after July 1, 2020,
13 prior to the period of time for distribution of the budget
14 under section 384.16, subsection 2, the council shall adopt a
15 resolution establishing the total maximum property tax dollars
16 that may be certified for levy that includes taxes for city
17 government purposes under section 384.1, for the city's trust
18 and agency fund under section 384.6, subsection 1, for the
19 city's emergency fund under section 384.8, and for the levies
20 authorized under section 384.12, subsections 8, 10, 11, 12, 13,
21 17, and 21, but excluding additions approved at election under
22 section 384.12, subsection 19.
23 3. The maximum property tax dollars calculated and approved
24 by resolution under this section includes those amounts
25 received by the city as replacement taxes under chapter 437A
26 or 437B.
27 4.a. The council shall set a time and place for a public
28 hearing on the resolution before the date for adoption of the
29 resolution and shall publish notice of the hearing not less
30 than ten nor more than twenty days prior to the hearing in a
31 newspaper published at least once weekly and having general
32 circulation in the city. However, if the city has a population
33 of two hundred or less, publication may be made by posting in
34 three public places in the city. If the city has an internet
35 site, the notice shall also be posted and clearly identified

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1 on the city's internet site for public viewing beginning on
2 the date of the newspaper publication or public posting, as

3 applicable. Additionally, if the city maintains a social media
4 account on one or more social media applications, the public
5 hearing notice or an electronic link to the public hearing
6 notice shall be posted on each such account on the same day as
7 the publication of the notice. All of the following shall be
8 included in the notice:

9 (1) The sum of the current fiscal year's actual property
10 taxes certified for levy under the levies specified in
11 subsection 2 and the current fiscal year's combined property
12 tax levy rate for such amount that is applicable to taxable
13 property in the city other than property used and assessed for
14 agricultural or horticultural purposes.

15 (2) The effective tax rate calculated using the sum of
16 the current fiscal year's actual property taxes certified for
17 levy under the levies specified in subsection 2, applicable
18 to taxable property in the city other than property used and
19 assessed for agricultural or horticultural purposes.

20 (3) The sum of the proposed maximum property tax dollars
21 that may be certified for levy for the budget year under the
22 levies specified in subsection 2 and the proposed combined
23 property tax levy rate for such amount applicable to taxable
24 property in the city other than property used and assessed for
25 agricultural or horticultural purposes.

26 (4) If the proposed maximum property tax dollars specified
27 under subparagraph (3) exceeds the current fiscal year's
28 actual property tax dollars certified for levy specified in
29 subparagraph (1), a statement of the major reasons for the
30 increase.

31 b. Proof of publication shall be filed with and preserved
32 by the county auditor. The department of management shall
33 prescribe the form for the public hearing notice for use by
34 cities and the form for the resolution to be adopted by the
35 council under subsection 5.

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1 5. a. At the public hearing, the council shall receive
2 oral or written objections from any resident or property owner
3 of the city. After all objections have been received and
4 considered, the council may decrease, but not increase, the
5 proposed maximum property tax dollar amount for inclusion in
6 the resolution and shall adopt the resolution and file the
7 resolution with the county auditor as required under section
8 384.16, subsection 3.

9 b. If the sum of the maximum property tax dollars for
10 the budget year specified in the resolution under the levies
11 specified in subsection 2 exceeds one hundred two percent of
12 the sum of the current fiscal year's actual property taxes
13 certified for levy under the levies specified in subsection
14 2, the council shall be required to adopt the resolution by a
15 two-thirds majority of the membership of the council.

16 c. If the city has an internet site, in addition to

17 filing the resolution with the auditor under section 384.16,
18 subsection 3, the adopted resolution shall be posted and
19 clearly identified on the city's internet site for public
20 viewing within ten days of approval by the council. The posted
21 resolution for a budget year shall continue to be accessible
22 for public viewing on the internet site along with resolutions
23 posted for all subsequent budget years.

24 Sec. ____ Section 384.16, unnumbered paragraph 1, Code
25 2019, is amended to read as follows:

26 Annually, a city that has satisfied the requirements of
27 section 384.15A and section 384.22, subsection 3, shall prepare
28 and adopt a budget, and shall certify taxes as follows:

29 Sec. ____ Section 384.16, subsections 3, 5, and 6, Code
30 2019, are amended to read as follows:

31 3. ~~The Following, and not until adoption of the resolution~~
32 ~~under section 384.15A, the~~ council shall set a time and place
33 for public hearing on the budget before the final certification
34 date and shall publish notice of the hearing not less than ten
35 nor more than twenty days before the hearing in a newspaper

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1 published at least once weekly and having general circulation
2 in the city. However, if the city has a population of two
3 hundred or less, publication may be made by posting in three
4 public places in the city. A summary of the proposed budget
5 ~~and a description of the procedure for protesting the city~~
6 ~~budget under section 384.19, in the form prescribed by the~~
7 ~~director of the department of management,~~ shall be included
8 in the notice. Proof of publication of the notice under this
9 subsection 3 and a copy of the resolution adopted under section
10 384.15A must be filed with the county auditor. The department
11 of management shall prescribe the form for the public hearing
12 notice for use by cities.

13 5. After the hearing, the council shall adopt by resolution
14 a budget for at least the next fiscal year, and the clerk
15 shall certify the necessary tax levy for the next fiscal year
16 to the county auditor and the county board of supervisors.
17 The tax levy certified may be less than but not more than
18 the amount estimated in the proposed budget submitted at
19 the final hearing or the applicable amount specified in the
20 resolution adopted under section 384.15A, unless an additional
21 tax levy is approved at a city election. Two copies each of
22 the detailed budget as adopted and of the tax certificate must
23 be transmitted to the county auditor, who shall complete the
24 certificates and transmit a copy of each to the department of
25 management.

26 6. Taxes levied by a city whose budget is certified after
27 March ~~15~~ 31 shall be limited to the prior year's budget amount.
28 However, this penalty may be waived by the director of the
29 department of management if the city demonstrates that the
30 March ~~15~~ 31 deadline was missed because of circumstances beyond

31 the control of the city.

32 Sec. ____ Section 384.17, Code 2019, is amended to read as
33 follows:

34 **384.17 Levy by county.**

35 At the time required by law, the county board of supervisors

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1 shall levy the taxes necessary for each city fund for the
2 following fiscal year. The levy must be as shown in the
3 adopted city budget and as certified by the clerk, subject to
4 any changes made after a protest hearing, and any additional
5 tax rates approved at a city election. A city levy is not valid
6 until proof of publication or posting of notice of a budget
7 hearing is under section 384.16, subsection 3, and the notice
8 and resolution adopted under section 384.15A are filed with the
9 county auditor.

10 Sec. ____APPLICABILITY. This division of this Act applies
11 to city and county budgets and taxes for fiscal years beginning
12 on or after July 1, 2020.

13 2. Page 31, line 20, by striking <IV> and inserting <II>

14 3. Title page, by striking lines 2 through 8 and inserting
15 <taxation by modifying provisions governing the establishment
16 and approval of county and city budgets, modifying provisions
17 relating to the state appraisal manual, and including
18 applicability provisions.>

19 4. By renumbering as necessary.

RANDY FEENSTRA

S-3207

1 Amend the amendment, S-3200, to House File 758, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 11, line 9, by striking <and \$150,000> and inserting
4 <\$125,000>

5 2. Page 11, line 11, after <providers> by inserting <,
6 and \$25,000 shall be allocated to the department for costs
7 associated with the development and distribution of curriculum
8 materials, and to supplement resources at the clearinghouse
9 created in accordance with this subsection, that support
10 age-appropriate and research-based instruction regarding
11 mental health awareness, suicide prevention, and coping skills
12 provided under the health curriculum for grades seven and eight
13 pursuant to section 256.11, subsection 4, as amended by this
14 Act, and under the health education unit provided for grades
15 nine through twelve required under section 256.11, subsection
16 5, paragraph "j", as amended by this Act>

17 3. Page 22, after line 16 by inserting:

18 <Sec. ____ Section 256.11, subsection 4, Code 2019, is
19 amended to read as follows:

20 4. The following shall be taught in grades seven and

21 eight: English-language arts; social studies; mathematics;
22 science; health; age-appropriate and research-based human
23 growth and development; career exploration and development;
24 physical education; music; and visual art. Career exploration
25 and development shall be designed so that students are
26 appropriately prepared to create an individual career
27 and academic plan pursuant to section 279.61, incorporate
28 foundational career and technical education concepts aligned
29 with the six career and technical education service areas
30 as defined in subsection 5, paragraph “h”, and incorporate
31 relevant twenty-first century skills. The health curriculum
32 shall include age-appropriate and research-based information
33 regarding the characteristics of sexually transmitted diseases,
34 including HPV and the availability of a vaccine to prevent HPV,
35 and acquired immune deficiency syndrome; and age-appropriate

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1 and research-based information regarding mental health
2 awareness, suicide prevention, and coping skills. Coping
3 skills shall include but not be limited to preventing dating
4 violence and respecting the requirement for affirmative,
5 conscious, and voluntary consent prior to sexual activity. The
6 state board as part of accreditation standards shall adopt
7 curriculum definitions for implementing the program in grades
8 seven and eight. However, this subsection shall not apply to
9 the teaching of career exploration and development in nonpublic
10 schools. For purposes of this section, “*age-appropriate*”,
11 “*HPV*”, and “*research-based*” mean the same as defined in section
12 279.50.

13 Sec. ____ Section 256.11, subsection 5, paragraph j,
14 subparagraph (1), Code 2019, is amended to read as follows:

15 (1) One unit of health education which shall include
16 personal health; food and nutrition; environmental health;
17 safety and survival skills; consumer health; family life;
18 age-appropriate and research-based human growth and
19 development; substance abuse and nonuse; emotional and social
20 health, including mental health awareness, suicide prevention,
21 and coping skills, which shall include but not be limited to
22 preventing dating violence and respecting the requirement
23 for affirmative, conscious, and voluntary consent prior to
24 sexual activity; health resources; and prevention and control
25 of disease, including age-appropriate and research-based
26 information regarding sexually transmitted diseases, including
27 HPV and the availability of a vaccine to prevent HPV, and
28 acquired immune deficiency syndrome.>

29 4. By renumbering, redesignating, and correcting internal
30 references as necessary.

LIZ MATHIS

S-3208

- 1 Amend the amendment, S-3200, to House File 758, as amended,
- 2 passed, and reprinted by the House, as follows:
- 3 1. Page 15, line 24, by striking <\$12,000,000> and inserting
- 4 <\$18,000,000>

HERMAN C. QUIRMBACH
CLAIRE CELSI
ERIC GIDDENS
ZACH WAHLS

S-3209

- 1 Amend the amendment, S-3200, to House File 758, as amended,
- 2 passed, and reprinted by the House, as follows:
- 3 1. Page 22, line 21, by striking <forty-seven> and inserting
- 4 <fifty>

RICH TAYLOR
NATE BOULTON
PAM JOCHUM
LIZ MATHIS
JACKIE SMITH
TONY BISIGNANO
TODD TAYLOR
JIM LYKAM
ROBERT M. HOGG
KEVIN KINNEY

S-3210

- 1 Amend the amendment, S-3200, to House File 758, as amended,
- 2 passed, and reprinted by the House, as follows:
- 3 1. Page 22, by striking lines 8 and 9 and inserting <list
- 4 under this subsection, the following criteria, at a minimum,
- 5 shall apply:>

TIM KRAAYENBRINK

S-3211

HOUSE AMENDMENT TO
SENATE FILE 599

- 1 Amend Senate File 599, as amended, passed, and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 2, line 24, by striking <204.14> and inserting
- 4 <204.15>
- 5 2. Page 4, line 28, after <for> by inserting <the>
- 6 3. Page 4, line 31, by striking <provide> and inserting

7 <provided>
8 4. Page 10, after line 6 by inserting:
9 <__. During any period that the licensee is transporting
10 hemp, other than only on the licensee's property, the licensee
11 carries all of the following:
12 (1) The licensee's hemp license issued pursuant to section
13 204.4, or a copy of that license.
14 (2) The licensee's certificate of crop inspection covering
15 the licensee's harvested hemp as provided in section 204.8.>
16 5. Page 10, by striking lines 24 through 26 and inserting:
17 <__. During any period that the person is transporting hemp
18 the person carries all of the following:
19 (1) If the hemp has been harvested, a certificate of crop
20 inspection covering the harvested hemp as provided in section
21 204.8.
22 (2) A bill of lading that includes information required
23 by the department, which must at least indicate the name of
24 the owner of the hemp, the point of origin, and the point of
25 delivery.>
26 6. Page 10, by striking lines 32 and 33 and inserting <or
27 distributing hemp produced in another state, if all of the
28 following applies:
29 a. During any period that the person is transporting hemp,
30 the person carries a bill of lading that includes information
31 required by the department, which must at least indicate the
32 name of the owner of the hemp, the point of origin, and the
33 point of delivery.
34 b. The person is acting in compliance with the federal hemp
35 law and other applicable federal law.>

Page 2

1 7. Page 20, by striking lines 5 and 6 and inserting <to
2 affect a statute or rule which applies to hemp or a hemp
3 product, if it would apply in the same manner as to other
4 articles subject to the>
5 8. Page 20, line 23, after <date of> by inserting <this
6 division of>
7 9. Page 23, line 11, after <exceed> by inserting <a>
8 10. Page 25, line 30, after <exceed> by inserting <a>
9 11. By renumbering, redesignating, and correcting internal
10 references as necessary.

S-3212

HOUSE AMENDMENT TO
SENATE FILE 589

1 Amend Senate File 589, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 12, line 13, after <felony> by inserting <or in a
4 case where the defendant establishes good cause>

5 2. Page 17, after line 23 by inserting:

6 <DIVISION ____

7 SECOND AND SUBSEQUENT ALCOHOLIC BEVERAGE CONVICTIONS

8 Sec. ____ Section 123.91, Code 2019, is amended to read as
9 follows:

10 **123.91 Second and subsequent conviction.**

11 Any person who has been convicted, in a criminal action,
12 in any court of record, of a violation of a provision of this
13 chapter except for a violation of section 123.46, a provision
14 of the prior laws of this state relating to alcoholic liquors,
15 wine, or beer which was in force prior to the enactment of
16 this chapter, or a provision of the laws of the United States
17 or of any other state relating to alcoholic liquors, wine, or
18 beer, and who is thereafter convicted of a subsequent criminal
19 offense against any provision of this chapter is guilty of the
20 following offenses:

21 1. For the second conviction, a serious misdemeanor.

22 2. For the third and each subsequent conviction, an
23 aggravated misdemeanor.>

24 3. By renumbering as necessary.

S-3213

HOUSE AMENDMENT TO SENATE FILE 86

1 Amend Senate File 86, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 3, line 21, by striking <becoming an organ donor>
4 and inserting <making an anatomical gift, including of an
5 organ, an eye, or tissue.>

S-3214

HOUSE AMENDMENT TO SENATE FILE 608

1 Amend Senate File 608, 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 FISCAL YEAR 2019-2020 APPROPRIATIONS

7 Section 1. DEPARTMENT OF CULTURAL AFFAIRS.

8 1. There is appropriated from the general fund of the state
9 to the department of cultural affairs for the fiscal year
10 beginning July 1, 2019, and ending June 30, 2020, the following
11 amounts, or so much thereof as is necessary, to be used for the
12 purposes designated:

13 a. ADMINISTRATION

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time

| | | | |
|----|--|------|-----------|
| 16 | equivalent positions for the department: | | |
| 17 | ..... | \$ | 168,637 |
| 18 | ..... | FTEs | 55.22 |
| 19 | The department of cultural affairs shall coordinate | | |
| 20 | activities with the tourism office of the economic development | | |
| 21 | authority to promote attendance at the state historical | | |
| 22 | building and at this state's historic sites. | | |
| 23 | Full-time equivalent positions authorized under this | | |
| 24 | paragraph are funded, in full or in part, using moneys | | |
| 25 | appropriated under this paragraph and paragraphs "c" through | | |
| 26 | "g". | | |
| 27 | b. COMMUNITY CULTURAL GRANTS | | |
| 28 | For planning and programming for the community cultural | | |
| 29 | grants program established under section 303.3: | | |
| 30 | ..... | \$ | 172,090 |
| 31 | c. HISTORICAL DIVISION | | |
| 32 | For the support of the historical division: | | |
| 33 | ..... | \$ | 3,127,797 |
| 34 | d. HISTORIC SITES | | |
| 35 | For the administration and support of historic sites: | | |

Page 2

| | | | |
|----|---|----|-----------|
| 1 | ..... | \$ | 426,398 |
| 2 | e. ARTS DIVISION | | |
| 3 | For the support of the arts division: | | |
| 4 | ..... | \$ | 1,317,188 |
| 5 | Of the moneys appropriated in this paragraph, the department | | |
| 6 | shall allocate \$300,000 for purposes of the film office. | | |
| 7 | f. IOWA GREAT PLACES | | |
| 8 | For the Iowa great places program established under section | | |
| 9 | 303.3C: | | |
| 10 | ..... | \$ | 150,000 |
| 11 | g. RECORDS CENTER RENT | | |
| 12 | For payment of rent for the state records center: | | |
| 13 | ..... | \$ | 227,243 |
| 14 | h. CULTURAL TRUST GRANTS | | |
| 15 | For grant programs administered by the Iowa arts | | |
| 16 | council including those programs supporting the long-term | | |
| 17 | financial stability and sustainability of nonprofit cultural | | |
| 18 | organizations: | | |
| 19 | ..... | \$ | 150,000 |
| 20 | 2. Notwithstanding section 8.33, moneys appropriated in | | |
| 21 | this section 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 | Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT. | | |
| 26 | 1. For the fiscal year beginning July 1, 2019, the goals | | |
| 27 | for the economic development authority shall be to expand and | | |
| 28 | stimulate the state economy, increase the wealth of Iowans, and | | |
| 29 | increase the population of the state. | | |

- 30 2. To achieve the goals in subsection 1, the economic
 31 development authority shall do all of the following for the
 32 fiscal year beginning July 1, 2019:
 33 a. Concentrate its efforts on programs and activities that
 34 result in commercially viable products and services.
 35 b. Adopt practices and services consistent with free

Page 3

- 1 market, private sector philosophies.
 2 c. Ensure economic growth and development throughout the
 3 state.
 4 d. Work with businesses and communities to continually
 5 improve the economic development climate along with the
 6 economic well-being and quality of life for Iowans.
 7 e. Coordinate with other state agencies to ensure that they
 8 are attentive to the needs of an entrepreneurial culture.
 9 f. Establish a strong and aggressive marketing image to
 10 showcase Iowa's workforce, existing industry, and potential.
 11 A priority shall be placed on recruiting new businesses,
 12 business expansion, and retaining existing Iowa businesses.
 13 Emphasis shall be placed on entrepreneurial development through
 14 helping entrepreneurs secure capital, and developing networks
 15 and a business climate conducive to entrepreneurs and small
 16 businesses.
 17 g. Encourage the development of communities and quality of
 18 life to foster economic growth.
 19 h. Prepare communities for future growth and development
 20 through development, expansion, and modernization of
 21 infrastructure.
 22 i. Develop public-private partnerships with Iowa businesses
 23 in the tourism industry, Iowa tour groups, Iowa tourism
 24 organizations, and political subdivisions in this state to
 25 assist in the development of advertising efforts.
 26 j. Develop, to the fullest extent possible, cooperative
 27 efforts for advertising with contributions from other sources.
 28 Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.
 29 1. APPROPRIATION
 30 a. There is appropriated from the general fund of the state
 31 to the economic development authority for the fiscal year
 32 beginning July 1, 2019, and ending June 30, 2020, the following
 33 amount, or so much thereof as is necessary, to be used for the
 34 purposes designated in this subsection, and for not more than
 35 the following full-time equivalent positions:

Page 4

| | | | |
|---|---|------|------------|
| 1 | ..... | \$ | 13,413,379 |
| 2 | ..... | FTEs | 126.45 |
| 3 | b. (1) For salaries, support, miscellaneous purposes, | | |
| 4 | programs, marketing, and the maintenance of an administration | | |
| 5 | division, a business development division, a community | | |

6 development division, a small business development division,
7 and other divisions the authority may organize.

8 (2) The full-time equivalent positions authorized under
9 this section are funded, in whole or in part, by the moneys
10 appropriated under this subsection or by other moneys received
11 by the authority, including certain federal moneys.

12 (3) For business development operations and programs,
13 international trade, export assistance, workforce recruitment,
14 and the partner state program.

15 (4) For transfer to a fund created pursuant to section
16 15.313 for purposes of financing strategic infrastructure
17 projects.

18 (5) For community economic development programs, tourism
19 operations, community assistance, plans for Iowa green corps
20 and summer youth programs, the mainstreet and rural mainstreet
21 programs, the school-to-career program, the community
22 development block grant, and housing and shelter-related
23 programs.

24 (6) For achieving the goals and accountability, and
25 fulfilling the requirements and duties required under this Act.

26 c. Notwithstanding section 8.33, moneys appropriated in
27 this subsection that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure for the purposes designated in this
30 subsection until the close of the succeeding fiscal year.

31 2. FINANCIAL ASSISTANCE RESTRICTIONS

32 a. A business creating jobs through moneys appropriated in
33 subsection 1 shall be subject to contract provisions requiring
34 new and retained jobs to be filled by individuals who are
35 citizens of the United States who reside within the United

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1 States or any person authorized to work in the United States
2 pursuant to federal law, including legal resident aliens in the
3 United States.

4 b. Any vendor who receives moneys appropriated in
5 subsection 1 shall adhere to such contract provisions and
6 provide periodic assurances as the state shall require that the
7 jobs are filled solely by citizens of the United States who
8 reside within the United States or any person authorized to
9 work in the United States pursuant to federal law, including
10 legal resident aliens in the United States.

11 c. A business that receives financial assistance from
12 the authority from moneys appropriated in subsection 1 shall
13 only employ individuals legally authorized to work in this
14 state. In addition to all other applicable penalties provided
15 by current law, all or a portion of the assistance received
16 by a business which is found to knowingly employ individuals
17 not legally authorized to work in this state is subject to
18 recapture by the authority.

19 3. USES OF APPROPRIATIONS

20 a. From the moneys appropriated in subsection 1, the
 21 authority may provide financial assistance in the form of a
 22 grant to a community economic development entity for conducting
 23 a local workforce recruitment effort designed to recruit former
 24 citizens of the state and former students at colleges and
 25 universities in the state to meet the needs of local employers.
 26 b. From the moneys appropriated in subsection 1, the
 27 authority may provide financial assistance to early stage
 28 industry companies being established by women entrepreneurs.
 29 c. From the moneys appropriated in subsection 1, the
 30 authority may provide financial assistance in the form of
 31 grants, loans, or forgivable loans for advanced research and
 32 commercialization projects involving value-added agriculture,
 33 advanced technology, or biotechnology.
 34 d. The authority shall not use any moneys appropriated in
 35 subsection 1 for purposes of providing financial assistance for

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1 the Iowa green streets pilot project or for any other program
 2 or project that involves the installation of geothermal systems
 3 for melting snow and ice from streets or sidewalks.
 4 4. WORLD FOOD PRIZE
 5 There is appropriated from the general fund of the state
 6 to the economic development authority for the fiscal year
 7 beginning July 1, 2019, and ending June 30, 2020, the following
 8 amount for the world food prize and in lieu of the standing
 9 appropriation in section 15.368:
 10 \$ 375,000
 11 5. IOWA COMMISSION ON VOLUNTEER SERVICE
 12 There is appropriated from the general fund of the state
 13 to the economic development authority for the fiscal year
 14 beginning July 1, 2019, and ending June 30, 2020, the following
 15 amount for allocation to the Iowa commission on volunteer
 16 service for purposes of the Iowa state commission grant
 17 program, the Iowa's promise and Iowa mentoring partnership
 18 programs, and for not more than the following full-time
 19 equivalent positions:
 20 \$ 168,201
 21 FTEs 8.00
 22 Of the moneys appropriated in this subsection, the
 23 authority shall allocate \$75,000 for purposes of the Iowa state
 24 commission grant program and \$93,201 for purposes of the Iowa's
 25 promise and Iowa mentoring partnership programs.
 26 Notwithstanding section 8.33, moneys appropriated in this
 27 subsection that remain unencumbered or unobligated at the close
 28 of the fiscal year shall not revert but shall remain available
 29 for expenditure for the purposes designated until the close of
 30 the succeeding fiscal year.
 31 6. COUNCILS OF GOVERNMENTS — ASSISTANCE
 32 There is appropriated from the general fund of the state
 33 to the economic development authority for the fiscal year

34 beginning July 1, 2019, and ending June 30, 2020, the following
35 amount to be used for the purposes of providing financial

Page 7

1 assistance to Iowa’s councils of governments:
2 \$ 275,000
3 7. REGISTERED APPRENTICESHIP PROGRAM
4 There is appropriated from the general fund of the
5 state to the economic development authority for the fiscal
6 year beginning July 1, 2019, and ending June 30, 2020, the
7 following amount to be used for the funding of a registered
8 apprenticeship development program designed to encourage
9 small to midsize businesses to start or grow registered
10 apprenticeships:
11 \$ 1,000,000
12 8. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
13 INTERNSHIPS
14 a. There is appropriated from the Iowa skilled worker and
15 job creation fund created in section 8.75 to the Iowa economic
16 development authority for the fiscal year beginning July 1,
17 2019, and ending June 30, 2020, the following amount, or so
18 much thereof as is necessary, for the purposes designated:
19 For the funding of internships for students studying in the
20 fields of science, technology, engineering, and mathematics
21 with eligible Iowa employers as provided in section 15.411,
22 subsection 3, paragraph “c”:
23 \$ 1,000,000
24 b. No more than 3 percent of the moneys appropriated in this
25 subsection may be used by the authority for costs associated
26 with administration of the internship program.
27 c. Notwithstanding section 8.33, moneys appropriated in
28 this subsection which remain unencumbered or unobligated at
29 the end of the fiscal year shall not revert but shall remain
30 available for expenditure for the purposes designated in
31 subsequent fiscal years.
32 9. FUTURE READY IOWA — VOLUNTEER MENTORING PROGRAM
33 a. There is appropriated from the Iowa skilled worker and
34 job creation fund created in section 8.75 to the economic
35 development authority for the fiscal year beginning July 1,

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1 2019, and ending June 30, 2020, the following amount, or so
2 much thereof as is necessary, for the purpose designated:
3 For allocation to the Iowa commission on volunteer services
4 to be used for establishing a volunteer mentor program to
5 support implementation of the future ready Iowa skilled
6 workforce last-dollar scholarship program in section 261.131
7 and the future ready Iowa skilled workforce grant program
8 created in section 261.132:
9 \$ 400,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection which remain unencumbered or unobligated at the end of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

10. EMPOWER RURAL IOWA — HOUSING NEEDS ASSESSMENT GRANT PROGRAM

a. There is appropriated from the Iowa skilled worker and job creation fund created in section 8.75 to the economic development authority for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, for the purpose designated:

To be distributed by the authority for establishing a housing needs assessment grant program to provide small communities with hard data and housing-related information specific to the community being analyzed:

..... \$ 100,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection which remain unencumbered or unobligated at the end of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. The authority shall adopt rules pursuant to chapter 17A to establish criteria for the distribution of the moneys appropriated in this subsection.

11. EMPOWER RURAL IOWA — RURAL INNOVATION GRANTS

Page 9

a. There is appropriated from the Iowa skilled worker and job creation fund created in section 8.75 to the economic development authority for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, for the purpose designated:

To be distributed by the authority for supporting innovative rural projects:

..... \$ 300,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection which remain unencumbered or unobligated at the end of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. The authority shall adopt rules pursuant to chapter 17A to establish criteria for the distribution of the moneys appropriated in this subsection.

Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS — FY 2019–2020. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the amounts appropriated from the general fund of the state pursuant to these sections for the following purposes shall not exceed the following amounts:

24 1. For operational support grants and community cultural
25 grants under section 99F.11, subsection 3, paragraph “d”,
26 subparagraph (1):
27 \$ 448,403
28 2. For the purposes of regional tourism marketing under
29 section 99F.11, subsection 3, paragraph “d”, subparagraph (2):
30 \$ 900,000
31 Sec. 5. FINANCIAL ASSISTANCE REPORTING — ECONOMIC
32 DEVELOPMENT AUTHORITY. The economic development authority and
33 the department of revenue shall submit a joint annual report
34 to the general assembly no later than November 1, 2019, that
35 details the amount of every direct loan, forgivable loan,

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1 tax credit, tax exemption, tax refund, grant, or any other
2 financial assistance awarded to a person during the prior
3 fiscal year by the authority under an economic development
4 program administered by the authority. The report shall
5 identify the county where the project associated with each such
6 award is located.
7 Sec. 6. INSURANCE ECONOMIC DEVELOPMENT. From the
8 moneys collected by the insurance division in excess of the
9 anticipated gross revenues under section 505.7, subsection
10 3, during the fiscal year beginning July 1, 2019, \$100,000
11 shall be transferred to the economic development authority for
12 insurance economic development and international insurance
13 economic development.
14 Sec. 7. IOWA FINANCE AUTHORITY.
15 1. There is appropriated from the general fund of the state
16 to the Iowa finance authority for the fiscal year beginning
17 July 1, 2019, and ending June 30, 2020, the following amount,
18 or so much thereof as is necessary, to be used to provide
19 reimbursement for rent expenses to eligible persons under
20 the home and community-based services rent subsidy program
21 established in section 16.55:
22 \$ 658,000
23 2. Of the moneys appropriated in this section, not more than
24 \$35,000 may be used for administrative costs.
25 3. Notwithstanding section 8.33, moneys appropriated in
26 this section that remain unencumbered or unobligated at the
27 close of the fiscal year shall not revert but shall remain
28 available for expenditure for the purposes designated until the
29 close of the succeeding fiscal year.
30 Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state
31 is requested to review the audit of the Iowa finance authority
32 performed by the auditor hired by the authority.
33 Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.
34 1. There is appropriated from the general fund of the state
35 to the public employment relations board for the fiscal year

Page 11

1 beginning July 1, 2019, and ending June 30, 2020, the following
 2 amount, or so much thereof as is necessary, for the purposes
 3 designated:

4 For salaries, support, maintenance, and miscellaneous
 5 purposes, and for not more than the following full-time
 6 equivalent positions:

| | | |
|---------|------|-----------|
| 7 | \$ | 1,492,452 |
| 8 | FTEs | 11.00 |

9 2. Of the moneys appropriated in this section, the board
 10 shall allocate \$15,000 for maintaining an internet site that
 11 allows searchable access to a database of collective bargaining
 12 information.

13 Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
 14 is appropriated from the general fund of the state to the
 15 department of workforce development for the fiscal year
 16 beginning July 1, 2019, and ending June 30, 2020, the following
 17 amounts, or so much thereof as is necessary, for the purposes
 18 designated:

19 1. DIVISION OF LABOR SERVICES

20 a. For the division of labor services, including salaries,
 21 support, maintenance, and miscellaneous purposes, and for not
 22 more than the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 23 | \$ | 3,491,252 |
| 24 | FTEs | 58.10 |

25 b. From the contractor registration fees, the division of
 26 labor services shall reimburse the department of inspections
 27 and appeals for all costs associated with hearings under
 28 chapter 91C, relating to contractor registration.

29 2. DIVISION OF WORKERS' COMPENSATION

30 a. For the division of workers' compensation, including
 31 salaries, support, maintenance, and miscellaneous purposes, and
 32 for not more than the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 33 | \$ | 3,321,044 |
| 34 | FTEs | 26.10 |

35 b. The division of workers' compensation shall charge a

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1 \$100 filing fee for workers' compensation cases. The filing
 2 fee shall be paid by the petitioner of a claim. However, the
 3 fee can be taxed as a cost and paid by the losing party, except
 4 in cases where it would impose an undue hardship or be unjust
 5 under the circumstances. The moneys generated by the filing
 6 fee allowed under this subsection are appropriated to the
 7 department of workforce development to be used for purposes of
 8 administering the division of workers' compensation.

9 3. WORKFORCE DEVELOPMENT OPERATIONS

10 a. For the operation of field offices, the workforce
 11 development board, and for not more than the following
 12 full-time equivalent positions:

| | | | |
|----|--|------|-----------|
| 13 | ..... | \$ | 6,675,650 |
| 14 | ..... | FTEs | 185.92 |
| 15 | b. Of the moneys appropriated in paragraph "a" of this | | |
| 16 | subsection, the department shall allocate \$150,000 to the state | | |
| 17 | library for the purpose of licensing an online resource which | | |
| 18 | prepares persons to succeed in the workplace through programs | | |
| 19 | which improve job skills and vocational test-taking abilities. | | |
| 20 | 4. OFFENDER REENTRY PROGRAM | | |
| 21 | a. For the development and administration of an offender | | |
| 22 | reentry program to provide offenders with employment skills, | | |
| 23 | and for not more than the following full-time equivalent | | |
| 24 | positions: | | |
| 25 | ..... | \$ | 387,158 |
| 26 | ..... | FTEs | 5.00 |
| 27 | b. The department of workforce development shall partner | | |
| 28 | with the department of corrections to provide staff within the | | |
| 29 | correctional facilities to improve offenders' abilities to find | | |
| 30 | and retain productive employment. | | |
| 31 | 5. INTEGRATED INFORMATION FOR IOWA SYSTEM | | |
| 32 | For the payment of services provided by the department of | | |
| 33 | administrative services related to the integrated information | | |
| 34 | for Iowa system: | | |
| 35 | | \$ | 228,822 |

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| | | | |
|----|---|------|---------|
| 1 | 6. SUMMER YOUTH INTERN PILOT PROGRAM | | |
| 2 | For the funding of a summer youth intern pilot program that | | |
| 3 | will help young people at risk of not graduating from high | | |
| 4 | school to explore and prepare for high-demand careers through | | |
| 5 | summer work experience, including the development of soft | | |
| 6 | skills: | | |
| 7 | ..... | \$ | 250,000 |
| 8 | 7. NONREVERSION | | |
| 9 | Notwithstanding section 8.33, moneys appropriated in this | | |
| 10 | section that remain unencumbered or unobligated at the close of | | |
| 11 | the fiscal year shall not revert but shall remain available for | | |
| 12 | expenditure for the purposes designated until the close of the | | |
| 13 | succeeding fiscal year. | | |
| 14 | Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION | | |
| 15 | PROGRAM. There is appropriated from the general fund of the | | |
| 16 | state to the department of workforce development for the fiscal | | |
| 17 | year beginning July 1, 2019, and ending June 30, 2020, the | | |
| 18 | following amount, or so much thereof as is necessary, to be | | |
| 19 | used for the purposes designated: | | |
| 20 | For enhancing efforts to investigate employers that | | |
| 21 | misclassify workers and for not more than the following | | |
| 22 | full-time equivalent positions: | | |
| 23 | ..... | \$ | 379,631 |
| 24 | ..... | FTEs | 5.50 |
| 25 | Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND. | | |
| 26 | 1. There is appropriated from the special employment | | |

27 security contingency fund to the department of workforce
28 development for the fiscal year beginning July 1, 2019, and
29 ending June 30, 2020, the following amount, or so much thereof
30 as is necessary, to be used for field offices:
31 \$ 1,766,084
32 2. Any remaining additional penalty and interest revenue
33 collected by the department of workforce development is
34 appropriated to the department for the fiscal year beginning
35 July 1, 2019, and ending June 30, 2020, to accomplish the

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1 mission of the department.
2 Sec. 13. FUTURE READY IOWA — IOWA EMPLOYER INNOVATION FUND.
3 1. There is appropriated from the general fund of the state
4 to the department of workforce development for the fiscal year
5 beginning July 1, 2019, and ending June 30, 2020, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purposes designated:
8 In consultation with the workforce development board, for
9 funding of the Iowa employer innovation program which shall
10 match eligible employer moneys to expand opportunities for
11 education and training leading to high-demand jobs and to
12 encourage Iowa employers, community leaders, and others to
13 provide leadership and support for regional workforce talent
14 pools throughout the state, and for future ready Iowa education
15 and outreach:
16 \$ 1,200,000
17 2. Notwithstanding section 8.33, moneys appropriated in
18 this section which remain unencumbered or unobligated at the
19 end of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.
22 Sec. 14. UNEMPLOYMENT COMPENSATION RESERVE FUND —
23 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
24 paragraph “e”, there is appropriated from interest earned on
25 the unemployment compensation reserve fund to the department
26 of workforce development for the fiscal year beginning July 1,
27 2019, and ending June 30, 2020, the following amount, or so
28 much thereof as is necessary, for the purposes designated:
29 For the operation of field offices:
30 \$ 2,850,000
31 Sec. 15. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The
32 department of workforce development shall require a unique
33 identification login for all users of workforce development
34 centers operated through electronic means.
35 Sec. 16. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding

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1 section 96.9, subsection 4, paragraph “a”, moneys credited to
2 the state by the secretary of the treasury of the United

3 States pursuant to section 903 of the Social Security
4 Act are appropriated to the department of workforce
5 development and shall be used by the department for the
6 administration of the unemployment compensation program only.
7 This appropriation shall not apply to any fiscal year
8 beginning after December 31, 2019.

9 Sec. 17. IOWA SKILLED WORKER AND JOB CREATION FUND.

10 1. There is appropriated from the Iowa skilled worker and
11 job creation fund created in section 8.75 to the following
12 departments, agencies, and institutions for the fiscal year
13 beginning July 1, 2019, and ending June 30, 2020, the following
14 amounts, or so much thereof as is necessary, to be used for the
15 purposes designated:

16 a. ECONOMIC DEVELOPMENT AUTHORITY

17 (1) For the purposes of providing assistance under the high
18 quality jobs program as described in section 15.335B:

19 \$ 11,700,000

20 (2) From the moneys appropriated in this lettered paragraph
21 “a”, the economic development authority may use not more
22 than \$1,000,000 for purposes of providing infrastructure
23 grants to mainstreet communities under the main street Iowa
24 program and may allocate not more than \$300,000 for the
25 purposes of supporting statewide worker education and quality
26 preapprenticeship programs.

27 (3) As a condition of receiving moneys appropriated in
28 this lettered paragraph “a”, an entity shall testify upon the
29 request of the joint appropriations subcommittee on economic
30 development regarding the expenditure of such moneys.

31 b. STATE BOARD OF REGENTS AND REGENTS INSTITUTIONS

32 (1) STATE BOARD OF REGENTS. For capacity building
33 infrastructure in areas related to technology
34 commercialization, marketing and business development
35 efforts in areas related to technology commercialization,

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1 entrepreneurship, and business growth, and infrastructure
2 projects and programs needed to assist in implementation of
3 activities under chapter 262B:

4 \$ 3,000,000

5 (a) Of the moneys appropriated pursuant to this
6 subparagraph (1), 35 percent shall be allocated for Iowa state
7 university of science and technology, 35 percent shall be
8 allocated for the state university of Iowa, and 30 percent
9 shall be allocated for the university of northern Iowa.

10 (b) The institutions shall provide a one-to-one match
11 of additional moneys for the activities funded with moneys
12 appropriated under this subparagraph (1).

13 (c) The state board of regents shall submit a report by
14 January 15, 2020, to the governor, the general assembly, and
15 the legislative services agency regarding the activities,
16 projects, and programs funded with moneys appropriated under

17 this subparagraph (1). The report shall be provided in an
 18 electronic format and shall include a list of metrics and
 19 criteria mutually agreed to in advance by the board of regents
 20 and the economic development authority. The metrics and
 21 criteria shall allow the governor's office and the general
 22 assembly to quantify and evaluate the progress of the board of
 23 regents institutions with regard to their activities, projects,
 24 and programs in the areas of technology commercialization,
 25 entrepreneurship, regional development, and market research.

26 (2) IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY. For
 27 small business development centers, the science and technology
 28 research park, and the center for industrial research and
 29 service, and for not more than the following full-time
 30 equivalent positions:

| | | |
|----------|------|-----------|
| 31 | \$ | 2,424,302 |
| 32 | FTEs | 56.63 |

33 (a) Of the moneys appropriated in this subparagraph (2),
 34 Iowa state university of science and technology shall allocate
 35 at least \$735,728 for purposes of funding small business

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1 development centers. Iowa state university of science and
 2 technology may allocate the appropriated moneys to the various
 3 small business development centers in any manner necessary to
 4 achieve the purposes of this subparagraph.

5 (b) Iowa state university of science and technology shall
 6 do all of the following:

7 (i) Direct expenditures for research toward projects that
 8 will provide economic stimulus for Iowa.

9 (ii) Provide emphasis to providing services to Iowa-based
 10 companies.

11 (c) It is the intent of the general assembly that the
 12 industrial incentive program focus on Iowa industrial sectors
 13 and seek contributions and in-kind donations from businesses,
 14 industrial foundations, and trade associations, and that moneys
 15 for the center for industrial research and service industrial
 16 incentive program shall be allocated only for projects which
 17 are matched by private sector moneys for directed contract
 18 research or for nondirected research. The match required of
 19 small businesses as defined in section 15.102, subsection 8,
 20 for directed contract research or for nondirected research
 21 shall be \$1 for each \$3 of state funds. The match required
 22 for other businesses for directed contract research or
 23 for nondirected research shall be \$1 for each \$1 of state
 24 funds. The match required of industrial foundations or trade
 25 associations shall be \$1 for each \$1 of state funds.

26 Iowa state university of science and technology shall
 27 report annually to the joint appropriations subcommittee on
 28 economic development and the legislative services agency the
 29 total amount of private contributions, the proportion of
 30 contributions from small businesses and other businesses, and

31 the proportion for directed contract research and nondirected
32 research of benefit to Iowa businesses and industrial sectors.
33 (3) STATE UNIVERSITY OF IOWA. For the state university
34 of Iowa research park and for the advanced drug development
35 program at the Oakdale research park, including salaries,

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1 support, maintenance, equipment, and miscellaneous purposes,
2 and for not more than the following full-time equivalent
3 positions:
4 \$ 209,279
5 FTEs 6.00
6 The state university of Iowa shall do all of the following:
7 (a) Direct expenditures for research toward projects that
8 will provide economic stimulus for Iowa.
9 (b) Provide emphasis to providing services to Iowa-based
10 companies.
11 (4) STATE UNIVERSITY OF IOWA. For the purpose of
12 implementing the entrepreneurship and economic growth
13 initiative, and for not more than the following full-time
14 equivalent positions:
15 \$ 2,000,000
16 FTEs 5.28
17 (5) UNIVERSITY OF NORTHERN IOWA. For the metal casting
18 center, the MyEntreNet internet application, and the institute
19 for decision making, including salaries, support, maintenance,
20 and miscellaneous purposes, and for not more than the following
21 full-time equivalent positions:
22 \$ 1,066,419
23 FTEs 8.12
24 (a) Of the moneys appropriated pursuant to this
25 subparagraph, the university of northern Iowa shall allocate at
26 least \$617,638 for purposes of support of entrepreneurs through
27 the university's center for business growth and innovation and
28 advance Iowa program.
29 (b) The university of northern Iowa shall do all of the
30 following:
31 (i) Direct expenditures for research toward projects that
32 will provide economic stimulus for Iowa.
33 (ii) Provide emphasis to providing services to Iowa-based
34 companies.
35 (6) As a condition of receiving moneys appropriated in

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1 this lettered paragraph "b", an entity shall testify upon the
2 request of the joint appropriations subcommittee on economic
3 development regarding the expenditure of such moneys.
4 c. DEPARTMENT OF WORKFORCE DEVELOPMENT
5 To develop a long-term sustained program to train unemployed
6 and underemployed central Iowans with skills necessary to

| | | | |
|----|---|------|-----------|
| 7 | advance to higher-paying jobs with full benefits: | | |
| 8 | ..... | \$ | 100,000 |
| 9 | (1) The department of workforce development shall begin | | |
| 10 | a request for proposals process, issued for purposes of this | | |
| 11 | lettered paragraph “c”, no later than September 1, 2019. | | |
| 12 | (2) As a condition of receiving moneys appropriated under | | |
| 13 | this lettered paragraph “c”, an entity shall testify upon the | | |
| 14 | request of the joint appropriations subcommittee on economic | | |
| 15 | development regarding the expenditure of such moneys. | | |
| 16 | d. COLLEGE STUDENT AID COMMISSION | | |
| 17 | For deposit in the future ready Iowa skilled workforce grant | | |
| 18 | fund established pursuant to section 261.132, as enacted by | | |
| 19 | 2018 Iowa Acts, chapter 1067, section 13: | | |
| 20 | ..... | \$ | 1,000,000 |
| 21 | e. DEPARTMENT OF WORKFORCE DEVELOPMENT | | |
| 22 | For the funding of a future ready Iowa coordinator in the | | |
| 23 | department, and for not more than the following full-time | | |
| 24 | equivalent positions: | | |
| 25 | ..... | \$ | 150,000 |
| 26 | ..... | FTEs | 0.50 |
| 27 | 2. Notwithstanding section 8.33, moneys appropriated in | | |
| 28 | this section that remain unencumbered or unobligated at the | | |
| 29 | close of the fiscal year shall not revert but shall remain | | |
| 30 | available for expenditure for the purposes designated until the | | |
| 31 | close of the succeeding fiscal year. | | |
| 32 | Sec. 18. GENERAL FUND — CERTAIN REGENTS INSTITUTIONS. | | |
| 33 | 1. There is appropriated from the general fund of the state | | |
| 34 | to the following institutions for the fiscal year beginning | | |
| 35 | July 1, 2019, and ending June 30, 2020, the following amounts, | | |

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| | | | |
|----|---|------|---------|
| 1 | or so much thereof as is necessary, to be used for the purposes | | |
| 2 | designated: | | |
| 3 | a. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY | | |
| 4 | In cooperation with the Iowa economic development authority, | | |
| 5 | for support of a biosciences innovation ecosystem to strengthen | | |
| 6 | Iowa’s leadership positions in the area of bio-based chemicals, | | |
| 7 | digital agriculture, vaccines, and medical devices, including | | |
| 8 | salaries, support, maintenance, and miscellaneous purposes, and | | |
| 9 | for not more than the following full-time equivalent positions: | | |
| 10 | ..... | \$ | 825,000 |
| 11 | ..... | FTEs | 3.00 |
| 12 | b. STATE UNIVERSITY OF IOWA | | |
| 13 | In cooperation with the Iowa economic development authority, | | |
| 14 | for support of a biosciences innovation ecosystem, to | | |
| 15 | strengthen Iowa’s leadership positions in the area of bio-based | | |
| 16 | chemicals, digital agriculture, vaccines, and medical devices, | | |
| 17 | including salaries, support, maintenance, and miscellaneous | | |
| 18 | purposes, and for not more than the following full-time | | |
| 19 | equivalent positions: | | |
| 20 | ..... | \$ | 275,000 |

| | | | |
|----|--|------|---------|
| 21 | ..... | FTEs | 1.00 |
| 22 | c. UNIVERSITY OF NORTHERN IOWA | | |
| 23 | For equipment and technology to expand the university's | | |
| 24 | additive manufacturing capabilities related to investment | | |
| 25 | castings technology and industry support, including salaries, | | |
| 26 | support, and miscellaneous purposes, and for not more than the | | |
| 27 | following full-time equivalent positions: | | |
| 28 | ..... | \$ | 400,000 |
| 29 | ..... | FTEs | 4.00 |
| 30 | The university of northern Iowa shall make a good faith | | |
| 31 | effort to coordinate with private entities to seek funds to | | |
| 32 | supplement this appropriation to support the expansion of the | | |
| 33 | university's additive manufacturing capabilities. | | |
| 34 | 2. Notwithstanding section 8.33, moneys appropriated in | | |
| 35 | subsection 1, paragraphs "a" and "b", that remain unencumbered | | |

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1 or unobligated at the close of the fiscal year shall not revert
2 but shall remain available for expenditure for the purposes
3 designated until the close of the succeeding fiscal year.
4 DIVISION II
5 MISCELLANEOUS PROVISIONS
6 Sec. 19. Section 16.2, Code 2019, is amended by adding the
7 following new subsection:
8 NEW SUBSECTION. 2A. There shall be four ex officio,
9 nonvoting legislative members consisting of the following:
10 a. Two state senators, one appointed by the majority leader
11 of the senate and one appointed by the minority leader of the
12 senate from their respective parties.
13 b. Two state representatives, one appointed by the speaker
14 and one appointed by the minority leader of the house of
15 representatives from their respective parties.
16 Sec. 20. Section 16.2, subsection 3, Code 2019, is amended
17 to read as follows:
18 3. Five voting members of the authority constitute a quorum
19 and the affirmative vote of a majority of the appointed members
20 is necessary for any substantive action taken by the authority.
21 The majority shall not include any member who has a conflict of
22 interest and a statement by a member of a conflict of interest
23 shall be conclusive for this purpose. A vacancy in the
24 membership does not impair the right of a quorum to exercise
25 all rights and perform all duties of the authority.>

S-3215

HOUSE AMENDMENT TO
SENATE FILE 615

- 1 Amend Senate File 615, 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 FY 2019–2020
7 APPROPRIATIONS

8 Section 1. DEPARTMENT OF JUSTICE.

9 1. There is appropriated from the general fund of the state
10 to the department of justice for the fiscal year beginning July
11 1, 2019, and ending June 30, 2020, the following amounts, or
12 so much thereof as is necessary, to be used for the purposes
13 designated:

14 a. For the general office of attorney general for salaries,
15 support, maintenance, and miscellaneous purposes, including
16 the prosecuting attorneys training program, matching funds
17 for federal violence against women grant programs, victim
18 assistance grants, office of drug control policy prosecuting
19 attorney program, and odometer fraud enforcement, and for not
20 more than the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 21 | \$ | 5,989,473 |
| 22 | FTEs | 215.00 |

23 As a condition of receiving the appropriation provided
24 in this lettered paragraph, the department of justice shall
25 maintain a record of the estimated time incurred representing
26 each agency or department.

27 The general office of attorney general may temporarily
28 exceed and draw more than the amount appropriated in this
29 lettered paragraph and incur a negative cash balance as long
30 as there are receivables equal to or greater than the negative
31 balances and the amount appropriated in this paragraph is not
32 exceeded at the close of the fiscal year.

33 b. For victim assistance grants:

| | | |
|----------|----|-----------|
| 34 | \$ | 5,016,708 |
|----------|----|-----------|

35 The moneys appropriated in this lettered paragraph shall be

Page 2

1 used to provide grants to care providers providing services to
2 crime victims of domestic abuse or to crime victims of rape and
3 sexual assault.

4 The balance of the victim compensation fund established
5 in section 915.94 may be used to provide salary and support
6 of not more than 24.00 full-time equivalent positions and to
7 provide maintenance for the victim compensation functions
8 of the department of justice. In addition to the full-time
9 equivalent positions authorized pursuant to this paragraph,
10 5.00 full-time equivalent positions are authorized and shall
11 be used by the department of justice to employ one accountant
12 and four program planners. The department of justice may
13 employ the additional 5.00 full-time equivalent positions
14 authorized pursuant to this paragraph that are in excess of the
15 number of full-time equivalent positions authorized only if
16 the department of justice receives sufficient federal moneys
17 to maintain employment for the additional full-time equivalent

18 positions during the current fiscal year. The department
19 of justice shall only employ the additional 5.00 full-time
20 equivalent positions in succeeding fiscal years if sufficient
21 federal moneys are received during each of those succeeding
22 fiscal years.

23 The department of justice shall transfer at least \$150,000
24 from the victim compensation fund established in section 915.94
25 to the victim assistance grant program.

26 Notwithstanding section 8.33, moneys appropriated in this
27 paragraph “b” that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure for the purposes designated until the
30 close of the succeeding fiscal year.

31 c. For legal services for persons in poverty grants as
32 provided in section 13.34:

33 \$ 2,634,601

34 2. a. The department of justice, in submitting budget
35 estimates for the fiscal year commencing July 1, 2020, pursuant

Page 3

1 to section 8.23, shall include a report of funding from sources
2 other than amounts appropriated directly from the general fund
3 of the state to the department of justice or to the office of
4 consumer advocate. These funding sources shall include but
5 are not limited to reimbursements from other state agencies,
6 commissions, boards, or similar entities, and reimbursements
7 from special funds or internal accounts within the department
8 of justice. The department of justice shall also report actual
9 reimbursements for the fiscal year commencing July 1, 2018,
10 and actual and expected reimbursements for the fiscal year
11 commencing July 1, 2019.

12 b. The department of justice shall include the report
13 required under paragraph “a”, as well as information regarding
14 any revisions occurring as a result of reimbursements actually
15 received or expected at a later date, in a report to the
16 co-chairpersons and ranking members of the joint appropriations
17 subcommittee on the justice system and the legislative services
18 agency. The department of justice shall submit the report on
19 or before January 15, 2020.

20 3.a. The department of justice shall fully reimburse
21 the costs and necessary related expenses incurred by the Iowa
22 law enforcement academy to continue to employ one additional
23 instructor position who shall provide training for human
24 trafficking-related issues throughout the state.

25 b. The department of justice shall obtain the moneys
26 necessary to reimburse the Iowa law enforcement academy to
27 employ such an instructor from unrestricted moneys from either
28 the victim compensation fund established in section 915.94, the
29 human trafficking victim fund established in section 915.95, or
30 the human trafficking enforcement fund established in 2015 Iowa
31 Acts, chapter 138, section 141.

32 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
 33 from the department of commerce revolving fund created in
 34 section 546.12 to the office of consumer advocate of the
 35 department of justice for the fiscal year beginning July 1,

Page 4

1 2019, and ending June 30, 2020, the following amount, or so
 2 much thereof as is necessary, to be used for the purposes
 3 designated:
 4 For salaries, support, maintenance, and miscellaneous
 5 purposes, and for not more than the following full-time
 6 equivalent positions:
 7 \$ 3,137,588
 8 FTEs 22.00
 9 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.
 10 1. There is appropriated from the general fund of the state
 11 to the department of corrections for the fiscal year beginning
 12 July 1, 2019, and ending June 30, 2020, the following amounts,
 13 or so much thereof as is necessary, to be used for the purposes
 14 designated:
 15 a. For the operation of the Fort Madison correctional
 16 facility, including salaries, support, maintenance, and
 17 miscellaneous purposes:
 18 \$ 41,213,841
 19 b. For the operation of the Anamosa correctional facility,
 20 including salaries, support, maintenance, and miscellaneous
 21 purposes:
 22 \$ 32,414,148
 23 c. For the operation of the Oakdale correctional facility,
 24 including salaries, support, maintenance, and miscellaneous
 25 purposes:
 26 \$ 61,812,427
 27 d. For the operation of the Newton correctional facility,
 28 including salaries, support, maintenance, and miscellaneous
 29 purposes:
 30 \$ 28,327,158
 31 e. For the operation of the Mount Pleasant correctional
 32 facility, including salaries, support, maintenance, and
 33 miscellaneous purposes:
 34 \$ 25,676,413
 35 f. For the operation of the Rockwell City correctional

Page 5

1 facility, including salaries, support, maintenance, and
 2 miscellaneous purposes:
 3 \$ 10,521,861
 4 g. For the operation of the Clarinda correctional facility,
 5 including salaries, support, maintenance, and miscellaneous
 6 purposes:
 7 \$ 24,847,950

8 Moneys received by the department of corrections as
9 reimbursement for services provided to the Clarinda youth
10 corporation are appropriated to the department and shall be
11 used for the purpose of operating the Clarinda correctional
12 facility.
13 h. For the operation of the Mitchellville correctional
14 facility, including salaries, support, maintenance, and
15 miscellaneous purposes:
16 \$ 23,294,090
17 i. For the operation of the Fort Dodge correctional
18 facility, including salaries, support, maintenance, and
19 miscellaneous purposes:
20 \$ 30,067,231
21 j. For reimbursement of counties for temporary confinement
22 of prisoners, as provided in sections 901.7, 904.908, and
23 906.17, and for offenders confined pursuant to section 904.513:
24 \$ 1,082,635
25 k. For federal prison reimbursement, reimbursements for
26 out-of-state placements, and miscellaneous contracts:
27 \$ 234,411
28 2. The department of corrections shall use moneys
29 appropriated in subsection 1 to continue to contract for the
30 services of a Muslim imam and a Native American spiritual
31 leader.
32 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.
33 There is appropriated from the general fund of the state to the
34 department of corrections for the fiscal year beginning July
35 1, 2019, and ending June 30, 2020, the following amounts, or

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1 so much thereof as is necessary, to be used for the purposes
2 designated:
3 1. For general administration, including salaries and the
4 adjustment of salaries throughout the department, support,
5 maintenance, employment of an education director to administer
6 a centralized education program for the correctional system,
7 and miscellaneous purposes:
8 \$ 8,773,216
9 a. It is the intent of the general assembly that each
10 lease negotiated by the department of corrections with a
11 private corporation for the purpose of providing private
12 industry employment of inmates in a correctional institution
13 shall prohibit the private corporation from utilizing inmate
14 labor for partisan political purposes for any person seeking
15 election to public office in this state and that a violation
16 of this requirement shall result in a termination of the lease
17 agreement.
18 b. It is the intent of the general assembly that as a
19 condition of receiving the appropriation provided in this
20 subsection the department of corrections shall not enter into
21 a lease or contractual agreement pursuant to section 904.809

22 with a private corporation for the use of building space for
 23 the purpose of providing inmate employment without providing
 24 that the terms of the lease or contract establish safeguards to
 25 restrict, to the greatest extent feasible, access by inmates
 26 working for the private corporation to personal identifying
 27 information of citizens.

28 2. For educational programs for inmates at state penal
 29 institutions:

30 \$ 2,608,109

31 a. To maximize the funding for educational programs,
 32 the department shall establish guidelines and procedures to
 33 prioritize the availability of educational and vocational
 34 training for inmates based upon the goal of facilitating an
 35 inmate's successful release from the correctional institution.

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1 b. The director of the department of corrections may
 2 transfer moneys from Iowa prison industries and the canteen
 3 operating funds established pursuant to section 904.310, for
 4 use in educational programs for inmates.

5 c. Notwithstanding section 8.33, moneys appropriated in
 6 this subsection that remain unobligated or unexpended at the
 7 close of the fiscal year shall not revert but shall remain
 8 available to be used only for the purposes designated in this
 9 subsection until the close of the succeeding fiscal year.

10 3. For the development and operation of the Iowa corrections
 11 offender network (ICON) data system:

12 \$ 2,000,000

13 4. For offender mental health and substance abuse
 14 treatment:

15 \$ 28,065

16 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL 17 SERVICES.

18 1. There is appropriated from the general fund of the state
 19 to the department of corrections for the fiscal year beginning
 20 July 1, 2019, and ending June 30, 2020, for salaries, support,
 21 maintenance, and miscellaneous purposes, the following amounts,
 22 or so much thereof as is necessary, to be used for the purposes
 23 designated:

24 a. For the first judicial district department of
 25 correctional services:

26 \$ 15,069,356

27 It is the intent of the general assembly that the first
 28 judicial district department of correctional services maintain
 29 the drug courts operated by the district department.

30 b. For the second judicial district department of
 31 correctional services:

32 \$ 11,618,090

33 It is the intent of the general assembly that the second
 34 judicial district department of correctional services maintain
 35 two drug courts to be operated by the district department.

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1 c. For the third judicial district department of
2 correctional services:
3 \$ 7,318,308
4 d. For the fourth judicial district department of
5 correctional services:
6 \$ 5,811,273
7 e. For the fifth judicial district department of
8 correctional services, including funding for electronic
9 monitoring devices for use on a statewide basis:
10 \$ 21,986,762
11 It is the intent of the general assembly that the fifth
12 judicial district department of correctional services maintain
13 the drug court operated by the district department.
14 f. For the sixth judicial district department of
15 correctional services:
16 \$ 14,839,165
17 It is the intent of the general assembly that the sixth
18 judicial district department of correctional services maintain
19 the drug court operated by the district department.
20 g. For the seventh judicial district department of
21 correctional services:
22 \$ 7,919,692
23 It is the intent of the general assembly that the seventh
24 judicial district department of correctional services maintain
25 the drug court operated by the district department.
26 h. For the eighth judicial district department of
27 correctional services:
28 \$ 8,443,071
29 2. Each judicial district department of correctional
30 services, within the funding available, shall continue programs
31 and plans established within that district to provide for
32 intensive supervision, sex offender treatment, diversion of
33 low-risk offenders to the least restrictive sanction available,
34 job development, and expanded use of intermediate criminal
35 sanctions.

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1 3. Each judicial district department of correctional
2 services shall provide alternatives to prison consistent with
3 chapter 901B. The alternatives to prison shall ensure public
4 safety while providing maximum rehabilitation to the offender.
5 A judicial district department of correctional services may
6 also establish a day program.
7 4. The governor's office of drug control policy shall
8 consider federal grants made to the department of corrections
9 for the benefit of each of the eight judicial district
10 departments of correctional services as local government
11 grants, as defined pursuant to federal regulations.
12 5. The department of corrections shall continue to contract

13 with a judicial district department of correctional services to
14 provide for the rental of electronic monitoring equipment which
15 shall be available statewide.

16 6. The public safety assessment shall not be utilized
17 in pretrial hearings when determining whether to detain or
18 release a defendant before trial, and the use of the public
19 safety assessment pilot program shall be terminated as of the
20 effective date of this subsection, until such time the use of
21 the public safety assessment has been specifically authorized
22 by the general assembly.

23 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
24 APPROPRIATIONS. Notwithstanding section 8.39, within the
25 moneys appropriated in this division of this Act to the
26 department of corrections, the department may reallocate the
27 moneys appropriated and allocated as necessary to best fulfill
28 the needs of the correctional institutions, administration
29 of the department, and the judicial district departments of
30 correctional services. However, in addition to complying with
31 the requirements of sections 904.116 and 905.8 and providing
32 notice to the legislative services agency, the department
33 of corrections shall also provide notice to the department
34 of management, prior to the effective date of the revision
35 or reallocation of an appropriation made pursuant to this

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1 section. The department of corrections shall not reallocate an
2 appropriation or allocation for the purpose of eliminating any
3 program.

4 Sec. 7. INTENT — REPORTS.

5 1. The department of corrections in cooperation with
6 townships, the Iowa cemetery associations, and other nonprofit
7 or governmental entities may use inmate labor during the
8 fiscal year beginning July 1, 2019, to restore or preserve
9 rural cemeteries and historical landmarks. The department in
10 cooperation with the counties may also use inmate labor to
11 clean up roads, major water sources, and other water sources
12 around the state.

13 2. On a quarterly basis the department shall provide a
14 status report regarding private-sector employment to the
15 legislative services agency beginning on July 1, 2019. The
16 report shall include the number of offenders employed in the
17 private sector, the combined number of hours worked by the
18 offenders, the total amount of allowances, and the distribution
19 of allowances pursuant to section 904.702, including any moneys
20 deposited in the general fund of the state.

21 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
22 corrections shall submit a report on electronic monitoring to
23 the general assembly, to the co-chairpersons and the ranking
24 members of the joint appropriations subcommittee on the justice
25 system, and to the legislative services agency by January
26 15, 2020. The report shall specifically address the number

27 of persons being electronically monitored and break down the
28 number of persons being electronically monitored by offense
29 committed. The report shall also include a comparison of any
30 data from the prior fiscal year with the current year.
31 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.
32 1. As used in this section, unless the context otherwise
33 requires, "state agency" means the government of the state
34 of Iowa, including but not limited to all executive branch
35 departments, agencies, boards, bureaus, and commissions, the

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1 judicial branch, the general assembly and all legislative
2 agencies, institutions within the purview of the state board of
3 regents, and any corporation whose primary function is to act
4 as an instrumentality of the state.
5 2. State agencies are encouraged to purchase products from
6 Iowa state industries, as defined in section 904.802, when
7 purchases are required and the products are available from
8 Iowa state industries. State agencies shall obtain bids from
9 Iowa state industries for purchases of office furniture during
10 the fiscal year beginning July 1, 2019, exceeding \$5,000 or
11 in accordance with applicable administrative rules related to
12 purchases for the agency.

13 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.
14 1. There is appropriated from the general fund of the
15 state to the Iowa law enforcement academy for the fiscal year
16 beginning July 1, 2019, and ending June 30, 2020, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purposes designated:

19 a. (1) For salaries, support, maintenance, and
20 miscellaneous purposes, including jailer training and technical
21 assistance, and for not more than the following full-time
22 equivalent positions:
23 \$ 980,767
24 FTEs 27.26

25 (2) For the costs associated with temporary relocation of
26 the Iowa law enforcement academy:
27 \$ 1,015,442

28 b. The Iowa law enforcement academy may temporarily exceed
29 and draw more than the amount appropriated in this subsection
30 and incur a negative cash balance as long as there are
31 receivables equal to or greater than the negative balance and
32 the amount appropriated in this subsection is not exceeded at
33 the close of the fiscal year.

34 2. The Iowa law enforcement academy may select at least
35 five automobiles of the department of public safety, division

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1 of state patrol, prior to turning over the automobiles to
2 the department of administrative services to be disposed

3 of by public auction, and the Iowa law enforcement academy
 4 may exchange any automobile owned by the academy for each
 5 automobile selected if the selected automobile is used in
 6 training law enforcement officers at the academy. However, any
 7 automobile exchanged by the academy shall be substituted for
 8 the selected vehicle of the department of public safety and
 9 sold by public auction with the receipts being deposited in the
 10 depreciation fund to the credit of the department of public
 11 safety, division of state patrol.

12 3. The Iowa law enforcement academy shall provide training
 13 for domestic abuse and human trafficking-related issues
 14 throughout the state. The training shall be offered at no
 15 cost to the attendees and the training shall not replace any
 16 existing domestic abuse or human trafficking training offered
 17 by the academy.

18 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from
 19 the general fund of the state to the office of the state public
 20 defender of the department of inspections and appeals for the
 21 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 22 the following amounts, or so much thereof as is necessary, to
 23 be used for the purposes designated:

24 1. For salaries, support, maintenance, and miscellaneous
 25 purposes, and for not more than the following full-time
 26 equivalent positions:

| | | |
|----------|------|------------|
| 27 | \$ | 26,955,139 |
| 28 | FTEs | 223.00 |

29 2. For payments on behalf of eligible adults and juveniles
 30 from the indigent defense fund, in accordance with section
 31 815.11:

| | | |
|----------|----|------------|
| 32 | \$ | 40,760,448 |
|----------|----|------------|

33 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 34 general fund of the state to the board of parole for the fiscal
 35 year beginning July 1, 2019, and ending June 30, 2020, the

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1 following amount, or so much thereof as is necessary, to be
 2 used for the purposes designated:

3 For salaries, support, maintenance, and miscellaneous
 4 purposes, and for not more than the following full-time
 5 equivalent positions:

| | | |
|---------|------|-----------|
| 6 | \$ | 1,234,687 |
| 7 | FTEs | 10.50 |

8 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

9 1. There is appropriated from the general fund of the
 10 state to the department of public defense, for the fiscal year
 11 beginning July 1, 2019, and ending June 30, 2020, the following
 12 amounts, or so much thereof as is necessary, to be used for the
 13 purposes designated:

14 For salaries, support, maintenance, and miscellaneous
 15 purposes, and for not more than the following full-time
 16 equivalent positions:

| | | | |
|----|-------|------|-----------|
| 17 | ..... | \$ | 6,405,545 |
| 18 | ..... | FTEs | 249.00 |

19 2. The department of public defense may temporarily exceed
20 and draw more than the amount appropriated in this section and
21 incur a negative cash balance as long as there are receivables
22 of federal funds equal to or greater than the negative balance
23 and the amount appropriated in this section is not exceeded at
24 the close of the fiscal year.

25 Sec. 14. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
26 MANAGEMENT.

27 1. There is appropriated from the general fund of the state
28 to the department of homeland security and emergency management
29 for the fiscal year beginning July 1, 2019, and ending June
30 30, 2020, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:
32 For salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

| | | | |
|----|-------|----|-----------|
| 35 | | \$ | 2,124,877 |
|----|-------|----|-----------|

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| | | | |
|---|-------|------|-------|
| 1 | | FTEs | 31.03 |
|---|-------|------|-------|

2 2. The department of homeland security and emergency
3 management may temporarily exceed and draw more than the amount
4 appropriated in this section and incur a negative cash balance
5 as long as there are receivables of federal funds equal to or
6 greater than the negative balance and the amount appropriated
7 in this section is not exceeded at the close of the fiscal
8 year.

9 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
10 from the general fund of the state to the department of public
11 safety for the fiscal year beginning July 1, 2019, and ending
12 June 30, 2020, the following amounts, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 1. For administrative functions, including salaries and the
15 adjustment of salaries throughout the department, the criminal
16 justice information system, and for not more than the following
17 full-time equivalent positions:

| | | | |
|----|-------|------|-----------|
| 18 | ..... | \$ | 4,734,703 |
| 19 | ..... | FTEs | 37.00 |

20 2. For the division of criminal investigation, including
21 the state's contribution to the peace officers' retirement,
22 accident, and disability system provided in chapter 97A in the
23 amount of the state's normal contribution rate, as defined in
24 section 97A.8, multiplied by the salaries for which the moneys
25 are appropriated, to meet federal fund matching requirements,
26 and for not more than the following full-time equivalent
27 positions:

| | | | |
|----|-------|------|------------|
| 28 | ..... | \$ | 15,013,083 |
| 29 | ..... | FTEs | 162.00 |

30 3. For the criminalistics laboratory fund created in

31 section 691.9:
 32 \$ 650,000
 33 Notwithstanding section 8.33, moneys appropriated in this
 34 subsection that remain unencumbered or unobligated at the close
 35 of the fiscal year shall not revert but shall remain available

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1 for expenditure for the purposes designated until the close of
 2 the succeeding fiscal year.
 3 4.a. For the division of narcotics enforcement, including
 4 the state's contribution to the peace officers' retirement,
 5 accident, and disability system provided in chapter 97A in the
 6 amount of the state's normal contribution rate, as defined in
 7 section 97A.8, multiplied by the salaries for which the moneys
 8 are appropriated, to meet federal fund matching requirements,
 9 and for not more than the following full-time equivalent
 10 positions:
 11 \$ 7,985,873
 12 FTEs 65.00
 13 The division of narcotics enforcement is authorized an
 14 additional 1.00 full-time equivalent position pursuant to
 15 this lettered paragraph that is in excess of the number of
 16 full-time equivalent positions authorized for the previous
 17 fiscal year only if the division of narcotics enforcement
 18 receives sufficient federal moneys to maintain employment
 19 for the additional full-time equivalent position during the
 20 current fiscal year. The division of narcotics enforcement
 21 shall only employ the additional full-time equivalent position
 22 in succeeding fiscal years if sufficient federal moneys are
 23 received during each of those succeeding fiscal years.
 24 b. For the division of narcotics enforcement for undercover
 25 purchases:
 26 \$ 209,042
 27 5. For the division of state fire marshal, for fire
 28 protection services as provided through the state fire service
 29 and emergency response council as created in the department,
 30 and for the state's contribution to the peace officers'
 31 retirement, accident, and disability system provided in chapter
 32 97A in the amount of the state's normal contribution rate,
 33 as defined in section 97A.8, multiplied by the salaries for
 34 which the moneys are appropriated, and for not more than the
 35 following full-time equivalent positions:

Page 16

1 \$ 4,965,056
 2 FTEs 49.00
 3 6. For the division of state patrol, for salaries, support,
 4 maintenance, workers' compensation costs, and miscellaneous
 5 purposes, including the state's contribution to the peace
 6 officers' retirement, accident, and disability system provided

7 in chapter 97A in the amount of the state's normal contribution
8 rate, as defined in section 97A.8, multiplied by the salaries
9 for which the moneys are appropriated, and for not more than
10 the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 11 | \$ | 65,626,287 |
| 12 | FTEs | 512.00 |

13 It is the intent of the general assembly that members of the
14 state patrol be assigned to patrol the highways and roads in
15 lieu of assignments for inspecting school buses for the school
16 districts.

17 7. For deposit in the sick leave benefits fund established
18 under section 80.42 for all departmental employees eligible to
19 receive benefits for accrued sick leave under the collective
20 bargaining agreement:

| | | |
|----------|----|---------|
| 21 | \$ | 279,517 |
|----------|----|---------|

22 8. For costs associated with the training and equipment
23 needs of volunteer fire fighters:

| | | |
|----------|----|---------|
| 24 | \$ | 825,520 |
|----------|----|---------|

25 a. Notwithstanding section 8.33, moneys appropriated in
26 this subsection that remain unencumbered or unobligated at the
27 close of the fiscal year shall not revert but shall remain
28 available for expenditure only for the purpose designated in
29 this subsection until the close of the succeeding fiscal year.

30 b. Notwithstanding section 8.39, the department of public
31 safety may reallocate moneys appropriated in this section
32 as necessary to best fulfill the needs provided for in the
33 appropriation. However, the department shall not reallocate
34 moneys appropriated to the department in this section unless
35 notice of the reallocation is given to the legislative services

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1 agency and the department of management prior to the effective
2 date of the reallocation. The notice shall include information
3 regarding the rationale for reallocating the moneys. The
4 department shall not reallocate moneys appropriated in this
5 section for the purpose of eliminating any program.

6 9. For the public safety interoperable and broadband
7 communications fund established in section 80.44:

| | | |
|---------|----|---------|
| 8 | \$ | 115,661 |
|---------|----|---------|

9 10. For the office to combat human trafficking established
10 pursuant to section 80.45, including salaries, support,
11 maintenance, miscellaneous purposes, and for not more than the
12 following full-time equivalent positions:

| | | |
|----------|------|---------|
| 13 | \$ | 150,000 |
| 14 | FTEs | 1.00 |

15 11. For department-wide duties, including operations,
16 costs, and miscellaneous purposes:

| | | |
|----------|----|-----------|
| 17 | \$ | 1,597,834 |
|----------|----|-----------|

18 Sec. 16. GAMING ENFORCEMENT.

19 1. There is appropriated from the gaming enforcement
20 revolving fund created in section 80.43 to the department of

21 public safety for the fiscal year beginning July 1, 2019, and
 22 ending June 30, 2020, the following amount, or so much thereof
 23 as is necessary, to be used for the purposes designated:

24 For any direct support costs for agents and officers of
 25 the division of criminal investigation's excursion gambling
 26 boat, gambling structure, and racetrack enclosure enforcement
 27 activities, including salaries, support, maintenance, and
 28 miscellaneous purposes, and for not more than the following
 29 full-time equivalent positions:

| | | |
|----------|------|------------|
| 30 | \$ | 10,469,077 |
| 31 | FTEs | 73.00 |

32 2. For each additional license to conduct gambling games on
 33 an excursion gambling boat, gambling structure, or racetrack
 34 enclosure issued during the fiscal year beginning July 1, 2019,
 35 there is appropriated from the gaming enforcement fund to the

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1 department of public safety for the fiscal year beginning July
 2 1, 2019, and ending June 30, 2020, an additional amount of
 3 not more than \$300,000 to be used for full-time equivalent
 4 positions.

5 3. The department of public safety, with the approval of the
 6 department of management, may employ no more than three special
 7 agents for each additional riverboat or gambling structure
 8 regulated after July 1, 2020, and three special agents for
 9 each racing facility which becomes operational during the
 10 fiscal year which begins July 1, 2020. Positions authorized
 11 in this subsection are in addition to the full-time equivalent
 12 positions otherwise authorized in this section.

13 Sec. 17. CIVIL RIGHTS COMMISSION.

14 1. There is appropriated from the general fund of the state
 15 to the Iowa state civil rights commission for the fiscal year
 16 beginning July 1, 2019, and ending June 30, 2020, the following
 17 amount, or so much thereof as is necessary, to be used for the
 18 purposes designated:

19 For salaries, support, maintenance, and miscellaneous
 20 purposes, and for not more than the following full-time
 21 equivalent positions:

| | | |
|----------|------|-----------|
| 22 | \$ | 1,237,756 |
| 23 | FTEs | 26.00 |

24 2. The Iowa state civil rights commission may enter into
 25 a contract with a nonprofit organization to provide legal
 26 assistance to resolve civil rights complaints.

27 Sec. 18. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

28 1. There is appropriated from the general fund of the state
 29 to the criminal and juvenile justice planning division of the
 30 department of human rights for the fiscal year beginning July
 31 1, 2019, and ending June 30, 2020, the following amount or
 32 so much thereof as is necessary, to be used for the purposes
 33 designated:

34 a. For salaries, support, maintenance, and miscellaneous

35 purposes, and for not more than the following full-time

Page 19

1 equivalent positions:
2 \$ 1,226,399
3 FTEs 8.99
4 b.(1) For a single grant to a program located in a city
5 with a higher than average juvenile crime rate as determined
6 by the criminal and juvenile justice planning division and
7 a population greater than 80,000 as determined by the 2010
8 federal decennial census, which may be used for studying,
9 planning, programming, and capital, that is committed to
10 deterring juvenile delinquency through early intervention in
11 the criminal justice system by providing a comprehensive,
12 multifaceted delivery of social services:
13 \$ 140,000
14 (2) The program shall use no more than 5 percent of the
15 grant for administrative costs.
16 2. The criminal and juvenile justice planning advisory
17 council and the juvenile justice advisory council shall
18 coordinate their efforts in carrying out their respective
19 duties relative to juvenile justice.
20 Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
21 MANAGEMENT. There is appropriated from the 911 emergency
22 communications fund created in section 34A.7A to the department
23 of homeland security and emergency management for the fiscal
24 year beginning July 1, 2019, and ending June 30, 2020, the
25 following amount, or so much thereof as is necessary, to be
26 used for the purposes designated:
27 For implementation, support, and maintenance of the
28 functions of the administrator and program manager under
29 chapter 34A and to employ the auditor of the state to perform
30 an annual audit of the 911 emergency communications fund:
31 \$ 250,000
32 Sec. 20. CONSUMER EDUCATION AND LITIGATION — FARM
33 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.
34 Notwithstanding section 714.16C, there is appropriated from the
35 consumer education and litigation fund to the department of

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1 justice for the fiscal year beginning July 1, 2019, and ending
2 June 30, 2020, the following amount, or so much thereof as is
3 necessary, to be used for the purposes designated:
4 a. For farm mediation services as specified in section
5 13.13, subsection 2:
6 \$ 300,000
7 b. For salaries, support, maintenance, and miscellaneous
8 purposes for criminal prosecutions, criminal appeals, and
9 performing duties pursuant to chapter 669:
10 \$ 1,500,000

DIVISION II

SUPPLEMENTAL AND MISCELLANEOUS APPROPRIATIONS

Sec. 21. IOWA LAW ENFORCEMENT ACADEMY. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For relocation costs, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 285,982

Sec. 22. 2017 Iowa Acts, chapter 167, section 37, subsection 2, as amended by 2018 Iowa Acts, chapter 1168, section 7, is amended to read as follows:

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

..... \$ 35,144,448
37,644,448

Sec. 23. EFFECTIVE DATE. The division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION III

ATTORNEY GENERAL

Sec. 24. Section 13.2, subsection 1, paragraphs a and b, Code 2019, are amended to read as follows:

Page 21

a. Prosecute and defend all causes in ~~the Iowa state~~

appellate courts in which the state is a party or interested.

b. (1) Prosecute and defend in any ~~other Iowa state~~ court

or tribunal, all actions and proceedings, civil or criminal,

in which the state may be a party or interested, when, in the

attorney general's judgment, the interest of the state requires

such action, or when requested to do so by the governor,

executive council, or general assembly.

(2) (a) Prosecute in any other court or tribunal other than

an Iowa state court or tribunal, all actions or proceedings

including signing onto or authoring amicus briefs or letters of

support, civil or criminal, in which the state may be a party

or interested, when requested to do so by or with the approval

of the governor, executive council, or general assembly.

(b) Defend in any other court or tribunal other than an

Iowa state court or tribunal, all actions or proceedings

including signing onto, civil or criminal, in which the state

may be a party or interested, when, in the attorney general's

judgment, the interest of the state requires such action, or

when requested to do so by the governor, executive council, or

general assembly.

(c) Subparagraph divisions (a) and (b) shall not be

construed to affect any pending litigation in which the

attorney general is engaged as of the effective date of this

25 Act.

26 (3) The authority of the attorney general under this
27 paragraph shall be determined at the time the action is
28 initiated. Transfer of an action to a different court or
29 tribunal shall not affect the attorney general's authority
30 under this paragraph if the attorney general had authority at
31 the time the action was initiated.

32 Sec. 25. **NEW SECTION.** **13.12 Report of money awards.**

33 The attorney general shall report to the legislative
34 services agency and the department of management all money
35 settlement awards and court money awards which were awarded to

Page 22

1 the state of Iowa. The attorney general shall report which
2 funds are designated to receive the moneys and under what legal
3 authority the designation is being made.

4 Sec. 26. 2014 Iowa Acts, chapter 1138, section 21, as
5 amended by 2016 Iowa Acts, chapter 1137, section 18, and 2017
6 Iowa Acts, chapter 167, section 24, is amended to read as
7 follows:

8 SEC. 21. CONSUMER EDUCATION AND LITIGATION
9 FUND. Notwithstanding section 714.16C, for each fiscal
10 year of the period beginning July 1, 2014, and ending June
11 30, ~~2019~~ 2021, the annual appropriations in section 714.16C,
12 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
13 \$125,000 respectively.

14 Sec. 27. REPEAL. Section 7A.6, Code 2019, is repealed.

15 Sec. 28. EFFECTIVE DATE. The following, being deemed of
16 immediate importance, takes effect upon enactment:

17 The section of this Act amending section 13.2.

18 DIVISION IV

19 FIRE SERVICE TRAINING REVOLVING FUND

20 Sec. 29. Section 100B.4, Code 2019, is amended to read as
21 follows:

22 **100B.4 Fees — retention — use — fund.**

23 1. Fees assessed pursuant to this chapter shall be retained
24 by the division of state fire marshal and such repayments
25 received shall be used exclusively to offset the cost of
26 fire service training. Fees charged by regional emergency
27 response training centers for fire service training programs as
28 described in section 100B.6 shall not be greater than the fee
29 schedule established by rule by the state fire marshal.

30 2. Notwithstanding section 8.33, repayment receipts
31 collected by the division of state fire marshal for the fire
32 service training bureau that remain unencumbered or unobligated
33 at the close of the fiscal year shall not revert but shall
34 remain available for expenditure for the purposes designated
35 until the close of the succeeding fiscal year.

Page 23

1 3. A fire service training revolving fund is created in the
2 state treasury under the control of the department of public
3 safety. The fund shall consist of fees assessed pursuant to
4 this section, and deposited into the fire service training
5 revolving fund. All moneys in the fund are appropriated to
6 the department of public safety for purposes of fire service
7 training and shall be under the control of the state fire
8 marshal. Notwithstanding section 8.33, moneys in the fund
9 that remain unencumbered or unobligated at the close of a
10 fiscal year shall not revert but shall remain available for
11 expenditures for the purposes designated until the close of
12 the succeeding fiscal year. Notwithstanding section 12C.7,
13 subsection 2, interest or earnings on moneys in the fund shall
14 be credited to the fund.

15 Sec. 30. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17 Sec. 31. RETROACTIVE APPLICABILITY. This division of this
18 Act applies retroactively to July 1, 2018.

19 DIVISION V

20 DEPARTMENT OF CORRECTIONS

21 Sec. 32. DEPARTMENT OF CORRECTIONS. Notwithstanding
22 sections 8.33 and 8.39, the department of corrections may use
23 any general fund resources appropriated to the department
24 for the fiscal year beginning July 1, 2018, and ending June
25 30, 2019, for the resolution of the settlement agreement
26 with the division of labor services to the amended citation
27 P1582-1281728 dated October 18, 2018; requiring the department
28 to remedy citation 1(a) by providing adequate means of
29 communication for employees to summon assistance during violent
30 attacks, which must be abated by March 1, 2020.

31 Sec. 33. EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.

33 DIVISION VI

34 INDIGENT DEFENSE

35 Sec. 34. Section 815.7, subsection 4, Code 2019, is amended

Page 24

1 to read as follows:

2 4. For appointments made on or after July 1, 2007, through
3 June 30, 2019, the reasonable compensation shall be calculated
4 on the basis of seventy dollars per hour for class "A"
5 felonies, sixty-five dollars per hour for class "B" felonies,
6 and sixty dollars per hour for all other cases.

7 Sec. 35. Section 815.7, Code 2019, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 4A. For appointments made on or after
10 July 1, 2019, the reasonable compensation shall be calculated
11 on the basis of seventy-three dollars per hour for class "A"
12 felonies, sixty-eight dollars per hour for class "B" felonies,

13 and sixty-three dollars per hour for all other cases.

14 Sec. 36. 2016 Iowa Acts, chapter 1137, section 21,
15 subsection 1, is amended to read as follows:

16 1. Notwithstanding any other provision of the law to the
17 contrary, for each fiscal year for the period beginning July 1,
18 2016, and ending June 30, ~~2019~~ 2022, the state public defender
19 may establish a pilot project allowing an indigent person to
20 choose an eligible attorney to represent the person in the
21 person's case that requires such representation. The state
22 public defender shall have sole discretion to establish the
23 pilot project in no more than four counties throughout the
24 state. The state public defender may coordinate with other
25 agencies and organizations in order to seek grant funding and
26 to measure the results of the pilot project.

27 Sec. 37. EFFECTIVE DATE. The following, being deemed of
28 immediate importance, takes effect upon enactment:

29 The section of this division of this Act amending 2016 Iowa
30 Acts, Chapter 1137, section 21, subsection 1.

31 DIVISION VII

32 PUBLIC SAFETY SURVIVOR BENEFITS FUND

33 Sec. 38. NEW SECTION. **80.47 Public safety survivor benefits**
34 **fund.**

35 1. A public safety survivor benefits fund is established in

Page 25

1 the state treasury under the control of the department. The
2 fund shall consist of moneys transferred to the fund pursuant
3 to section 99G.39 and any other moneys appropriated to or
4 deposited in the fund. Moneys in the fund are appropriated to
5 the department for the purposes set forth in subsection 2.

6 2. *a.* Of the moneys credited to the fund in a fiscal year,
7 the department shall distribute fifty percent in the form of
8 grants to nonprofit organizations that provide resources to
9 assist surviving families of eligible peace officers killed in
10 the line of duty in paying costs associated with accident or
11 health care coverage pursuant to section 509A.13C. In awarding
12 such grants, the department shall give first consideration
13 to concerns of police survivors, inc., and similar nonprofit
14 organizations providing such resources.

15 *b.* Of the moneys credited to the fund in a fiscal year,
16 the department shall distribute fifty percent in the form of
17 grants to nonprofit organizations that provide resources to
18 assist surviving families of eligible fire fighters killed in
19 the line of duty in paying costs associated with accident or
20 health care coverage pursuant to section 509A.13C. In awarding
21 such grants, the department shall give first consideration to
22 Iowa professional fire fighters, inc., and similar nonprofit
23 organizations providing such resources.

24 3. Notwithstanding section 8.33, moneys in the fund
25 that remain unencumbered or unobligated at the close of a
26 fiscal year shall not revert but shall remain available for

27 expenditure for the purposes designated. Notwithstanding
28 section 12C.7, subsection 2, interest or earnings on moneys in
29 the fund shall be credited to the fund.
30 Sec. 39. Section 99G.39, Code 2019, is amended by adding the
31 following new subsection:
32 NEW SUBSECTION. 3A. One hundred thousand dollars in lottery
33 revenues shall be transferred each fiscal year to the public
34 safety survivor benefits fund established pursuant to section
35 80.47 prior to deposit of the lottery revenues in the general

Page 26

1 fund pursuant to section 99G.40.
2 Sec. 40. Section 99G.39, subsection 4, paragraph a, Code
3 2019, is amended to read as follows:
4 a. Notwithstanding subsection 1, if gaming revenues under
5 sections 99D.17 and 99F.11 are insufficient in a fiscal year to
6 meet the total amount of such revenues directed to be deposited
7 in the vision Iowa fund during the fiscal year pursuant to
8 section 8.57, subsection 5, paragraph "e", the difference shall
9 be paid from lottery revenues prior to deposit of the lottery
10 revenues in the general fund, ~~and~~ transfer of lottery revenues
11 to the veterans trust fund as provided in subsection 3, and
12 the transfer of lottery revenues to the public safety survivor
13 benefits fund as provided in subsection 3A. If lottery
14 revenues are insufficient during the fiscal year to pay the
15 difference, the remaining difference shall be paid from lottery
16 revenues prior to deposit of lottery revenues in the general
17 fund, ~~and~~ the transfer of lottery revenues to the veterans
18 trust fund as provided in subsection 3, and the transfer of
19 lottery revenues to the public safety survivor benefits fund as
20 provided in subsection 3A in subsequent fiscal years as such
21 revenues become available.>

S-3216

HOUSE AMENDMENT TO
SENATE FILE 616

1 Amend Senate File 616, as passed by the Senate, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. JUDICIAL BRANCH.
5 1. There is appropriated from the general fund of the state
6 to the judicial branch for the fiscal year beginning July 1,
7 2019, and ending June 30, 2020, the following amounts, or so
8 much thereof as is necessary, to be used for the purposes
9 designated:
10 a. For salaries of supreme court justices, appellate court
11 judges, district court judges, district associate judges,
12 associate juvenile judges, associate probate judges, judicial
13 magistrates and staff, state court administrator, clerk of the

14 supreme court, district court administrators, clerks of the
15 district court, juvenile court officers, board of law examiners
16 and board of examiners of shorthand reporters and judicial
17 qualifications commission; receipt and disbursement of child
18 support payments; reimbursement of the auditor of state for
19 expenses incurred in completing audits of the offices of the
20 clerks of the district court during the fiscal year beginning
21 July 1, 2019; and maintenance, equipment, and miscellaneous
22 purposes:
23 \$ 181,126,293
24 b. For deposit in the revolving fund created pursuant to
25 section 602.1302, subsection 3, for jury and witness fees,
26 mileage, costs related to summoning jurors, costs and fees for
27 interpreters and translators, and reimbursement of attorney
28 fees paid by the state public defender:
29 \$ 3,100,000
30 2. The judicial branch, except for purposes of internal
31 processing, shall use the current state budget system, the
32 state payroll system, and the Iowa finance and accounting
33 system in administration of programs and payments for services,
34 and shall not duplicate the state payroll, accounting, and
35 budgeting systems.

Page 2

1 3. The judicial branch shall submit monthly financial
2 statements to the legislative services agency and the
3 department of management containing all appropriated accounts
4 in the same manner as provided in the monthly financial status
5 reports and personal services usage reports of the department
6 of administrative services. The monthly financial statements
7 shall include a comparison of the dollars and percentage
8 spent of budgeted versus actual revenues and expenditures on
9 a cumulative basis for full-time equivalent positions and
10 dollars.
11 4. The judicial branch shall focus efforts upon the
12 collection of delinquent fines, penalties, court costs, fees,
13 surcharges, or similar amounts.
14 5. It is the intent of the general assembly that the offices
15 of the clerks of the district court operate in all 99 counties
16 and be accessible to the public as much as is reasonably
17 possible in order to address the relative needs of the citizens
18 of each county. An office of the clerk of the district court
19 shall be open regular courthouse hours.
20 6. In addition to the requirements for transfers under
21 section 8.39, the judicial branch shall not change the
22 appropriations from the amounts appropriated to the judicial
23 branch in this division of this Act, unless notice of the
24 revisions is given to the legislative services agency prior
25 to the effective date. The notice shall include information
26 on the branch's rationale for making the changes and details
27 concerning the workload and performance measures upon which the

28 changes are based.

29 7. The judicial branch shall submit a semiannual update
30 to the legislative services agency specifying the amounts of
31 fines, surcharges, and court costs collected using the Iowa
32 court information system since the last report. The judicial
33 branch shall continue to facilitate the sharing of vital
34 sentencing and other information with other state departments
35 and governmental agencies involved in the criminal justice

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1 system through the Iowa court information system.

2 8. The judicial branch shall provide a report to the general
3 assembly by January 1, 2020, concerning the amounts received
4 and expended from the enhanced court collections fund created
5 in section 602.1304 and the court technology and modernization
6 fund created in section 602.8108, subsection 9, during the
7 fiscal year beginning July 1, 2018, and ending June 30, 2019,
8 and the plans for expenditures from each fund during the fiscal
9 year beginning July 1, 2019, and ending June 30, 2020. A copy
10 of the report shall be provided to the legislative services
11 agency.

12 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
13 provision to the contrary, for the fiscal year beginning July
14 1, 2019, and ending June 30, 2020, if all parties in a case
15 agree, a civil trial including a jury trial may take place in a
16 county contiguous to the county with proper jurisdiction, even
17 if the contiguous county is located in an adjacent judicial
18 district or judicial election district. If the trial is moved
19 pursuant to this section, court personnel shall treat the case
20 as if a change of venue occurred. However, if a trial is moved
21 to an adjacent judicial district or judicial election district,
22 the judicial officers serving in the judicial district or
23 judicial election district receiving the case shall preside
24 over the case.

25 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
26 602.1509, for the fiscal year beginning July 1, 2019, and
27 ending June 30, 2020, a judicial officer may waive travel
28 reimbursement for any travel outside the judicial officer's
29 county of residence to conduct official judicial business.

30 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
31 the annual salary rates for judicial officers established by
32 2013 Iowa Acts, chapter 140, section 40, for the fiscal year
33 beginning July 1, 2019, and ending June 30, 2020, the supreme
34 court may by order place all judicial officers on unpaid leave
35 status on any day employees of the judicial branch are placed

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1 on temporary layoff status. The biweekly pay of the judicial
2 officers shall be reduced accordingly for the pay period in
3 which the unpaid leave date occurred in the same manner as

4 for noncontract employees of the judicial branch. Through
5 the course of the fiscal year, the judicial branch may use an
6 amount equal to the aggregate amount of salary reductions due
7 to the judicial officer unpaid leave days for any purpose other
8 than for judicial salaries.

9 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent
10 of the general assembly that the judicial branch utilize
11 the Iowa communications network or other secure electronic
12 communications in lieu of traveling for the fiscal year
13 beginning July 1, 2019, and ending June 30, 2020.

14 Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

15 1. The salary rates specified in subsection 2 are for the
16 fiscal year beginning in July 1, 2019, and for subsequent
17 fiscal years until otherwise provided by the general assembly.
18 The salaries provided for in this section shall be paid
19 from funds allocated to the judicial branch from the salary
20 adjustment fund, or if the allocation is not sufficient, from
21 funds appropriated to the judicial branch pursuant to this Act
22 or any other Act of the general assembly.

23 2. The following annual salary rates shall be paid to the
24 persons holding the judicial positions indicated during the
25 fiscal year beginning July 1, 2019, and for subsequent pay
26 periods.

| | |
|---|------------|
| 27 a. Chief justice of the supreme court: | |
| 28 | \$ 186,661 |
| 29 b. Each justice of the supreme court: | |
| 30 | \$ 178,304 |
| 31 c. Chief judge of the court of appeals: | |
| 32 | \$ 167,160 |
| 33 d. Each associate judge of the court of appeals: | |
| 34 | \$ 161,588 |
| 35 e. Each chief judge of a judicial district: | |

Page 5

| | |
|---|------------|
| 1 | \$ 156,016 |
| 2 f. Each district judge except the chief judge of a judicial | |
| 3 district: | |
| 4 | \$ 150,444 |
| 5 g. Each district associate judge: | |
| 6 | \$ 133,728 |
| 7 h. Each associate juvenile judge: | |
| 8 | \$ 133,728 |
| 9 i. Each associate probate judge: | |
| 10 | \$ 133,728 |
| 11 j. Each judicial magistrate: | |
| 12 | \$ 41,232 |
| 13 k. Each senior judge: | |
| 14 | \$ 8,915 |

15 3. Persons receiving the salary rates established
16 under this section shall not receive any additional salary
17 adjustments provided by this Act.>

S-3217

1 Amend Senate File 594 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 81.1, Code 2019, is amended to read as
5 follows:

6 **81.1 Definitions.**

7 As used in this chapter, unless the context otherwise
8 requires:

9 1. “*Aggravated misdemeanor*” means an offense classified as
10 an aggravated misdemeanor committed by a person eighteen years
11 of age or older on or after July 1, 2014, other than any of the
12 following offenses:

13 a. A violation of chapter 321.

14 b. A second offense violation of section 321J.2, unless
15 the person has more than one previous revocation as determined
16 pursuant to section 321J.2, subsection 8, within the
17 twelve-year period immediately preceding the commission of the
18 offense in question.

19 c. A violation of chapter 716B.

20 d. A violation of chapter 717A.

21 e. A violation of section 725.7.

22 2. “*DNA*” means deoxyribonucleic acid.

23 3. “*DNA data bank*” means the repository for DNA samples
24 obtained pursuant to section 81.4.

25 4. “*DNA database*” means the collection of DNA profiles and
26 DNA records.

27 5. “*DNA profile*” means the objective form of the results of
28 DNA analysis performed on a forensic sample or an individual’s
29 DNA sample. The results of all DNA identification analysis on
30 an individual’s DNA sample are also collectively referred to
31 as the DNA profile of an individual. “*DNA profile*” also means
32 the objective form of the results of DNA analysis performed on
33 a forensic sample.

34 6. “*DNA profiling*” means the procedure ~~established by~~
35 ~~the division of criminal investigation, department of public~~

Page 2

1 ~~safety,~~ for determining a person’s genetic identity or for
2 testing a forensic sample, including analysis that might not
3 result in the establishment of a complete DNA profile.

4 7. “*DNA record*” means the DNA sample and DNA profile, and
5 other records in the DNA database and DNA data bank used to
6 identify a person.

7 8. “*DNA sample*” means a biological sample provided by
8 any person required to submit a DNA sample or a DNA sample
9 submitted for any other purpose under section 81.4.

10 9. “*Forensic sample*” means an evidentiary item that
11 potentially contains DNA relevant to a crime.

12 10. “*Keyboard search*” means a keyboard search as defined in

13 the national DNA index system operational procedures manual.
14 11. "National DNA index system" means a national, searchable
15 DNA database created and maintained by the federal bureau of
16 investigation where DNA profiles are stored and searched at a
17 local, state, or national level.
18 ~~9.~~ 12. "Person required to submit a DNA sample" means a
19 person convicted, adjudicated delinquent, receiving a deferred
20 judgment, or found not guilty by reason of insanity of an
21 offense requiring DNA profiling pursuant to section 81.2.
22 "Person required to submit a DNA sample" also means a person
23 determined to be a sexually violent predator pursuant to
24 section 229A.7.
25 13. "State DNA index system" means a state searchable DNA
26 database created and maintained by the department of public
27 safety where DNA profiles are stored and searched at the state
28 level.

29 Sec. 2. Section 81.10, Code 2019, is amended to read as
30 follows:

31 **81.10 Application requirements for DNA profiling after**
32 **conviction.**

33 1. A defendant who has been convicted of a felony or
34 aggravated misdemeanor ~~and who has not been required to submit~~
35 ~~a DNA sample for DNA profiling~~ may make ~~a motion~~ an application

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1 to the court for an order to require that DNA ~~analysis~~
2 profiling be performed on ~~evidence~~ a forensic sample collected
3 in the case for which the person stands convicted.
4 2. The ~~motion~~ application shall state the following:
5 a. The specific crimes for which the defendant stands
6 convicted in this case.
7 b. The facts of the underlying case, as proven at trial or
8 admitted to during a guilty plea proceeding.
9 c. Whether any of the charges include sexual abuse or
10 involve sexual assault, and if so, whether a sexual assault
11 examination was conducted and ~~evidence~~ forensic samples were
12 preserved, if known.
13 d. Whether identity was at issue or contested by the
14 defendant.
15 e. Whether the defendant offered an alibi, and if so,
16 testimony corroborating the alibi and, from whom.
17 f. Whether eyewitness testimony was offered, and if so from
18 whom.
19 g. Whether any issues of police or prosecutor misconduct
20 have been raised in the past or are being raised by the ~~motion~~
21 application.
22 h. The type of inculpatory evidence admitted into evidence
23 at trial or admitted to during a guilty plea proceeding.
24 i. Whether blood testing or other biological evidence
25 testing was conducted previously in connection with the case
26 and, if so, by whom and the result, if known.

27 j. What biological evidence exists and, if known, the agency
28 or laboratory storing the ~~evidence~~ forensic sample that the
29 defendant seeks to have tested.
30 k. Why the requested ~~analysis of DNA evidence~~ DNA profiling
31 of the forensic sample is material to the issue in the case and
32 not merely cumulative or impeaching.
33 l. Why the DNA ~~evidence~~ profiling results would have
34 changed the outcome of the trial or invalidated a guilty plea
35 if the requested DNA profiling had been conducted prior to the

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1 conviction.
2 3. a. A motion proceeding for relief filed under this
3 section shall be filed in the county where the defendant was
4 convicted, ~~and. The proceeding is commenced by filing an~~
5 application for relief with the district court in which the
6 conviction took place, without paying a filing fee. The notice
7 of the motion application shall be served by certified mail
8 upon the county attorney and, if known, upon the state, local
9 agency, or laboratory holding evidence described in subsection
10 2, paragraph "k". The county attorney shall have sixty days to
11 file an answer to the ~~motion application~~.
12 b. The application shall be heard in, and before any judge
13 or the court in which the defendant's conviction or sentence
14 took place. A record of the proceedings shall be made.
15 4. Any DNA profiling of the defendant or other biological
16 evidence testing conducted by the state or by the defendant
17 shall be disclosed and the results of such profiling or testing
18 described in the ~~motion application~~ or answer.
19 5. If the ~~evidence forensic sample~~ requested to be tested
20 was previously subjected to DNA or other biological analysis
21 by either party, the court may order the disclosure of the
22 results of such testing, including laboratory reports, notes,
23 and underlying data, to the court and the parties.
24 6. The court may order a hearing on the ~~motion application~~
25 to determine if ~~evidence the forensic sample~~ should be
26 subjected to DNA ~~analysis~~ profiling.
27 7. The court shall grant the motion if all of the following
28 ~~apply:~~
29 a. The evidence subject to DNA testing is available and in a
30 condition that will permit analysis.
31 b. A sufficient chain of custody has been established for
32 the evidence.
33 c. The identity of the person who committed the crime for
34 which the defendant was convicted was a significant issue in
35 the crime for which the defendant was convicted.

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1 d. The evidence subject to DNA analysis is material to, and
2 not merely cumulative or impeaching of, evidence included in

3 the trial record or admitted to at a guilty plea proceeding.

4 e. DNA analysis of the evidence would raise a reasonable
5 probability that the defendant would not have been convicted if
6 DNA profiling had been available at the time of the conviction
7 and had been conducted prior to the conviction.

8 8. Upon the court granting a motion filed pursuant to this
9 section, DNA analysis of evidence shall be conducted within the
10 guidelines generally accepted by the scientific community. The
11 defendant shall provide DNA samples for testing if requested
12 by the state.

13 9. Results of DNA analysis conducted pursuant to this
14 section shall be reported to the parties and to the court
15 and may be provided to the board of parole, department of
16 corrections, and criminal and juvenile justice agencies,
17 as defined in section 602.1, for use in the course of
18 investigations and prosecutions, and for consideration in
19 connection with requests for parole, pardon, reprieve, and
20 commutation. DNA samples obtained pursuant to this section
21 may be included in the DNA data bank, and DNA profiles and DNA
22 records developed pursuant to this section may be included in
23 the DNA database.

24 10. A criminal or juvenile justice agency, as defined in
25 section 602.1, shall maintain DNA samples and evidence that
26 could be tested for DNA for a period of three years beyond the
27 limitations for the commencement of criminal actions as set
28 forth in chapter 802. This section does not create a cause of
29 action for damages or a presumption of spoliation in the event
30 evidence is no longer available for testing.

31 11. If the court determines a defendant who files a motion
32 under this section is indigent, the defendant shall be entitled
33 to appointment of counsel as provided in chapter 815.

34 12. If the court determines after DNA analysis ordered
35 pursuant to this section that the results indicate conclusively

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1 that the DNA profile of the defendant matches the profile from
2 the analyzed evidence used against the defendant, the court
3 may order the defendant to pay the costs of these proceedings,
4 including costs of all testing, court costs, and costs of
5 court appointed counsel, if any.

6 Sec. 3. NEW SECTION. 81.11 Application for DNA profiling.

7 1. The court shall grant an application for DNA profiling
8 if all of the following apply:

9 a. The forensic sample subject to DNA profiling is available
10 and either DNA profiling has not been performed on the forensic
11 sample or DNA profiling has been previously performed on the
12 forensic sample and the defendant is requesting DNA profiling
13 using a new method or technology that is substantially more
14 probative than the DNA profiling previously performed.

15 b. A sufficient chain of custody has been established for
16 the forensic sample.

17 c. The identity of the person who committed the crime for
18 which the defendant was convicted was a significant issue in
19 the crime for which the defendant was convicted.
20 d. The forensic sample subject to DNA profiling is material
21 to, and not merely cumulative or impeaching of, evidence
22 included in the trial record or admitted to at a guilty plea
23 proceeding.
24 e. The DNA profiling results would raise a reasonable
25 probability that the defendant would not have been convicted if
26 such results had been introduced at trial.
27 2. Upon the court granting an application filed pursuant
28 to this section, DNA profiling of a forensic sample shall be
29 conducted within the guidelines generally accepted by the
30 scientific community if the testing type or resulting profile
31 is not eligible to be uploaded or searched in the national DNA
32 index system database. The defendant shall provide DNA samples
33 for testing if requested by the state.
34 Sec. 4. NEW SECTION. **81.12 When DNA database comparisons**
35 **may be ordered.**

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1 1. If DNA profiling ordered under section 81.11 produces
2 an unidentified DNA profile, after notice to the parties,
3 including the department of public safety, the court may order
4 the department of public safety to do any of the following:
5 a. Compare the DNA profile to the national DNA index
6 system. The profile shall only be compared to the national DNA
7 index system if the combined DNA index system administrator
8 determines all of the following:
9 (1) The forensic sample is collected contemporaneously from
10 the crime scene, has a nexus to the crime scene, is probative,
11 and is suitable for analysis.
12 (2) The DNA profile was generated through a technology that
13 complies with all requirements in the national DNA index system
14 operational procedures manual.
15 (3) The DNA profile meets all the requirements in the
16 national DNA index system operational procedures manual for
17 either uploading the profile or conducting a keyboard search.
18 b. Compare the DNA profile to the state DNA index system if
19 the profile meets all applicable state requirements.
20 2. If any provision of a court order under this section
21 results in a violation of federal law, the federal bureau
22 of investigation's national DNA index system operational
23 procedures manual, or the memorandum of understanding between
24 the federal bureau of investigation laboratory division and
25 the Iowa division of criminal investigation criminalistics
26 laboratory for participation in the national DNA index system,
27 that portion of the order shall be considered unenforceable.
28 The remaining provisions of the order shall remain in effect.
29 Sec. 5. NEW SECTION. **81.13 Additional DNA profiling**
30 **provisions.**

31 1. The results of DNA profiling conducted pursuant to this
32 section shall be provided to the court, the defendant, the
33 state, and the federal bureau of investigation. DNA samples
34 obtained pursuant to this section may be included in the DNA
35 data bank, and DNA profiles and DNA records developed pursuant

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1 to this section may be included in the DNA database.
2 2. A criminal or juvenile justice agency, as defined in
3 section 692.1, shall maintain DNA samples and forensic samples
4 that could be tested for DNA for a period of three years beyond
5 the limitations for the commencement of criminal actions as set
6 forth in chapter 802. This section does not create a cause of
7 action for damages or a presumption of spoliation in the event
8 a forensic sample is no longer available for testing.
9 3. If the court determines a defendant who files an
10 application under this section is indigent, the defendant shall
11 be entitled to appointment of counsel as provided in chapter
12 815.
13 4. If the court determines after DNA profiling ordered
14 pursuant to the application filed under section 81.10 that
15 the results indicate conclusively that the DNA profile of the
16 defendant matches the profile from the analyzed evidence used
17 against the defendant, the court may order the defendant to pay
18 the costs of these proceedings, including costs of all testing,
19 court costs, and costs of court-appointed counsel, if any.
20 **Sec. 6. NEW SECTION. 81.14 Compliance with applicable laws.**
21 A court shall not enter an order under this chapter that
22 would result in a violation of state or federal law or loss of
23 access to a federal system or database.
24 **Sec. 7.** Section 822.2, subsection 1, Code 2019, is amended
25 by adding the following new paragraph:
26 **NEW PARAGRAPH. h.** The results of DNA profiling ordered
27 pursuant to an application filed under section 81.10 would have
28 changed the outcome of the trial or void the factual basis of
29 a guilty plea had the profiling been conducted prior to the
30 conviction.
31 **Sec. 8.** Section 822.3, Code 2019, is amended to read as
32 follows:
33 **822.3 How to commence proceeding — limitation.**
34 A proceeding is commenced by filing an application verified
35 by the applicant with the clerk of the district court in

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1 which the conviction or sentence took place. However, if the
2 applicant is seeking relief under section 822.2, subsection 1,
3 paragraph “f”, the application shall be filed with the clerk
4 of the district court of the county in which the applicant
5 is being confined within ninety days from the date the
6 disciplinary decision is final. All other applications must

7 be filed within three years from the date the conviction or
8 decision is final or, in the event of an appeal, from the date
9 the writ of procedendo is issued. However, this limitation
10 does not apply to a ground of fact or law that could not have
11 been raised within the applicable time period. For purposes
12 of this section, a ground of fact includes the results of
13 DNA profiling ordered pursuant to an application filed under
14 section 81.10. Facts within the personal knowledge of the
15 applicant and the authenticity of all documents and exhibits
16 included in or attached to the application must be sworn to
17 affirmatively as true and correct. The supreme court may
18 prescribe the form of the application and verification. The
19 clerk shall docket the application upon its receipt and
20 promptly bring it to the attention of the court and deliver a
21 copy to the county attorney and the attorney general.>

DAN DAWSON

S-3218

1 Amend Senate File 426 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 235B.2, subsection 5, paragraph a, Code
5 2019, is amended by adding the following new subparagraph:
6 NEW SUBPARAGRAPH. (4) (a) Personal degradation of a
7 dependent adult by a caretaker.
8 (b) (i) "*Personal degradation*" means a willful act or
9 statement by a caretaker intended to shame, degrade, humiliate,
10 or otherwise harm the personal dignity of a dependent adult, or
11 where the caretaker knew or reasonably should have known the
12 act or statement would cause shame, degradation, humiliation,
13 or harm to the personal dignity of a reasonable person.
14 "*Personal degradation*" includes the taking, transmission,
15 or display of an electronic image of a dependent adult by a
16 caretaker, where the caretaker's actions constitute a willful
17 act or statement intended to shame, degrade, humiliate, or
18 otherwise harm the personal dignity of the dependent adult, or
19 where the caretaker knew or reasonably should have known the
20 act would cause shame, degradation, humiliation, or harm to the
21 personal dignity of a reasonable person.
22 (ii) "*Personal degradation*" does not include any of the
23 following:
24 (A) The taking, transmission, or display of an electronic
25 image of a dependent adult for the purpose of reporting
26 dependent adult abuse to law enforcement, the department,
27 or any other regulatory agency that oversees caretakers or
28 enforces abuse or neglect provisions, or for the purpose of
29 treatment or diagnosis or as part of an ongoing investigation.
30 (B) The taking, transmission, or display of an electronic
31 image by a caretaker who takes, transmits, or displays the
32 electronic image in accordance with the confidentiality policy

33 and release of information or consent policies of a contractor,
 34 employer, or facility or program not covered under section
 35 235E.1, subsection 5, paragraph “a”, subparagraph (3).

Page 2

1 (C) A statement by a caretaker who is the spouse of a
 2 dependent adult that is not intended to shame, degrade,
 3 humiliate, or otherwise harm the personal dignity of the
 4 dependent adult spouse.
 5 Sec. 2. Section 235B.3, subsection 1, paragraph c, Code
 6 2019, is amended to read as follows:
 7 c. A report of dependent adult abuse that meets the
 8 definition of dependent adult abuse under section 235B.2,
 9 subsection 5, paragraph “a”, subparagraph (1), subparagraph
 10 division (a) or (d), or section 235B.2, subsection 5, paragraph
 11 “a”, subparagraph (4), which the department determines is
 12 minor, isolated, and unlikely to reoccur shall be collected
 13 and maintained by the department as an assessment for only
 14 a five-year period and shall not be included in the central
 15 registry and shall not be considered to be founded dependent
 16 adult abuse. However, a subsequent report of dependent adult
 17 abuse that meets the definition of dependent adult abuse under
 18 section 235B.2, subsection 5, paragraph “a”, subparagraph
 19 (1), subparagraph division (a) or (d), or section 235B.2,
 20 subsection 5, paragraph “a”, subparagraph (4), that occurs
 21 within the five-year period and that is committed by the
 22 caretaker responsible for the act or omission which was the
 23 subject of the previous report of dependent adult abuse which
 24 the department determined was minor, isolated, and unlikely to
 25 reoccur shall not be considered minor, isolated, and unlikely
 26 to reoccur.>
 27 2. Title page, by striking lines 1 through 4 and inserting
 28 <An Act relating to personal degradation of a dependent adult
 29 as a form of dependent adult abuse by a caretaker regulated
 30 by the department of human services, and making penalties
 31 applicable.>

JAKE CHAPMAN

S-3219

1 Amend House File 224, as passed by the House, as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <DIVISION I
 4 LASCIVIOUS CONDUCT WITH A MINOR>
 5 2. Page 2, after line 6 by inserting:
 6 <DIVISION ____
 7 LIMITATION OF ACTIONS — SEXUAL OFFENSES AGAINST A MINOR
 8 Sec. ____ Section 802.2, subsection 1, Code 2019, is amended
 9 to read as follows:
 10 1. An information or indictment for sexual abuse in the

11 first, second, or third degree committed on or with a person
12 who is under the age of eighteen years ~~shall be found within~~
13 ~~ten years after the person upon whom the offense is committed~~
14 ~~attains eighteen years of age, or if the person against whom~~
15 ~~the information or indictment is sought is identified through~~
16 ~~the use of a DNA profile, an information or indictment shall~~
17 ~~be found within three years from the date the person is~~
18 ~~identified by the person's DNA profile, whichever is later~~ may
19 be commenced at any time after the commission of the offense.

20 Sec. ____ Section 802.2A, Code 2019, is amended to read as
21 follows:

22 **802.2A Incest — sexual exploitation by a counselor,**
23 **therapist, or school employee.**

24 1. An information or indictment for incest under section
25 726.2 committed on or with a person who is under the age of
26 eighteen shall be found ~~within ten years after the person upon~~
27 ~~whom the offense is committed attains eighteen years of age at~~
28 any time after its commission. An information or indictment
29 for any other incest shall be found within ten years after its
30 commission.

31 2. An indictment or information for sexual exploitation
32 by a counselor, therapist, or school employee under section
33 709.15 committed on or with a person who is under the age of
34 eighteen shall be found ~~within ten years after the person upon~~
35 ~~whom the offense is committed attains eighteen years of age at~~

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1 any time after its commission. An information or indictment
2 for any other sexual exploitation shall be found within ten
3 years of the date the victim was last treated by the counselor
4 or therapist, or within ten years of the date the victim was
5 enrolled in or attended the school.

6 Sec. ____ Section 802.2B, unnumbered paragraph 1, Code
7 2019, is amended to read as follows:

8 An information or indictment for the following offenses
9 committed on or with a person who is under the age of eighteen
10 years shall be found ~~within ten years after the person upon~~
11 ~~whom the offense is committed attains eighteen years of age,~~
12 ~~or if the person against whom the information or indictment~~
13 ~~is sought is identified through the use of a DNA profile, an~~
14 ~~information or indictment shall be found within three years~~
15 ~~from the date the person is identified by the person's DNA~~
16 ~~profile, whichever is later~~ at any time after its commission:

17 Sec. ____ Section 802.10, subsection 3, Code 2019, is
18 amended to read as follows:

19 3. However, notwithstanding subsection 2, an indictment or
20 information shall be found against a person within three years
21 from the date the person is identified by the person's DNA
22 profile. If the action involves sexual abuse, ~~another sexual~~
23 ~~offense of a person eighteen years of age or older,~~ kidnapping,
24 or human trafficking, the indictment or information shall be

25 found as provided in section 802.2, ~~802.2B~~, subsection 2,
 26 802.2C, or 802.2D, if the person is identified by the person's
 27 DNA profile.
 28 Sec. ____EFFECTIVE UPON ENACTMENT. This division of this
 29 Act, being deemed of immediate importance, takes effect upon
 30 enactment.>
 31 3. Title page, by striking lines 1 and 2 and inserting <An
 32 Act relating to the criminal offense of lascivious conduct
 33 with a minor, modifying the periods of time to bring criminal
 34 actions for sexual offenses against a minor, providing
 35 penalties, and including effective date provisions.>

Page 3

1 4. By renumbering as necessary.

JANET PETERSEN

S-3220

1 Amend the amendment, S-3206, to Senate File 634 as follows:
 2 1. Page 1, line 2, by striking <page 31, line 19,> and
 3 inserting <page 28, line 10,>
 4 2. Page 13, by striking line 13 and inserting:
 5 <____. Page 28, line 11, by striking <III> and inserting <II>
 6 _____. Page 31, line 20, by striking <IV> and inserting <III>>
 7 3. Page 13, line 16, after <budgets,> by inserting
 8 <modifying provisions relating to property tax credits for
 9 persons who have reached sixty-five years of age,>
 10 4. By renumbering as necessary.

PAM JOCHUM
 CLAIRE CELSI
 JACKIE SMITH
 RICH TAYLOR

S-3221

1 Amend the House amendment, S-3215, to Senate File 615, as
 2 amended, passed, and reprinted by the Senate, as follows:
 3 1. By striking page 20, line 34, through page 21, line 31.
 4 2. Page 22, by striking lines 15 through 17.
 5 3. By renumbering as necessary.

ROBERT M. HOGG
 TODD TAYLOR

S-3222

1 Amend Senate File 625 as follows:
 2 1. By striking everything after the enacting clause and
 3 inserting:

<DIVISION I
TITLE OF ACT

Section 1. TITLE OF ACT. This Act shall be known and may be cited as the “Empower Rural Iowa Act”.

DIVISION II
BROADBAND

Sec. 2. Section 8B.1, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. “*Facilitate*” means a communication service provider’s ability to provide broadband service at or above the download and upload speeds specified in the definition of targeted service area in this section to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer.

Sec. 3. Section 8B.1, subsection 12, Code 2019, is amended to read as follows:

12. “*Targeted service area*” means a United States census bureau census block located in this state, including any crop operation located within the census block, within which no communications service provider offers or facilitates broadband service at or above ~~twenty five megabits per second of download speed and three megabits per second of upload speed as of July 1, 2015~~ the download and upload speeds identified by the federal communications commission pursuant to section 706 of the federal Telecommunications Act of 1996, as amended.

Sec. 4. Section 8B.1, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. “*Underserved area*” means any portion of a targeted service area within which no communications service provider offers or facilitates broadband service meeting the download and upload speeds specified in the

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definition of targeted service area in this section.

Sec. 5. Section 8B.10, subsection 1, Code 2019, is amended to read as follows:

1. The determination of whether a communications service provider offers or facilitates broadband service meeting the download ~~or~~ and upload speeds specified in the definition of targeted service area in section 8B.1 shall be determined or ascertained by reference to broadband availability maps or data sources that are widely accepted for accuracy and available for public review and comment and that are identified by the office by rule. The office shall periodically make renewed determinations of whether a communications service provider offers or facilitates broadband service at or above the download and upload speeds specified in the definition of targeted service area in section 8B.1, which shall, to the extent updated maps and data sources are available at the time, include making such determinations prior to each round of grant

18 applications solicited by the office pursuant to section 8B.11.

19 Sec. 6. Section 8B.11, subsection 1, Code 2019, is amended
20 to read as follows:

21 1. The office shall administer a broadband grant program
22 designed to award reduce or eliminate unserved and underserved
23 areas in the state, leveraging federal funds and public and
24 private partnerships where possible, by awarding grants to
25 communications service providers that reduce or eliminate
26 targeted service areas by installing broadband infrastructure
27 that facilitates broadband service in targeted service areas
28 at or above the download and upload speeds specified in
29 the definition of targeted service area in section 8B.1, in
30 accordance with this section.

31 Sec. 7. Section 8B.11, subsection 2, paragraph c, Code 2019,
32 is amended to read as follows:

33 c. Notwithstanding section 8.33, moneys in the fund
34 that remain unencumbered or unobligated at the close of the
35 fiscal year shall not revert but shall remain available for

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1 expenditure for the purposes designated until ~~the close of~~
2 ~~the succeeding fiscal year~~ three years following the last
3 day of the fiscal year in which the funds were originally
4 appropriated.

5 Sec. 8. Section 8B.11, subsection 3, Code 2019, is amended
6 to read as follows:

7 3. Communications service providers may apply to the office
8 for a grant pursuant to this section for the installation of
9 broadband infrastructure that facilitates broadband service
10 ~~at or above twenty-five megabits per second of download speed~~
11 ~~and three megabits per second of upload speed in targeted~~
12 ~~service areas at or above the download and upload speeds~~
13 specified in the definition of targeted service area in
14 section 8B.1. The office may, by rule, increase the minimum
15 download and upload speeds for grant eligibility pursuant to
16 this section. The office shall include representatives from
17 schools, communities, agriculture, industry, and other areas
18 as appropriate to review and recommend grant awards. The
19 office shall conduct an open application review process ~~and~~
20 ~~include that includes the opportunity for the public to submit~~
21 factual information as part of a validation process to address
22 claims that a targeted service area is currently served with
23 broadband service at or above the download and upload speeds
24 specified in the definition of targeted service area in section
25 8B.1. Upon completion of the validation process, the office
26 may modify a proposed targeted service area to account for
27 information received during the validation process. The office
28 shall make available a public internet site for identifying all
29 publicly available information contained in the applications,
30 the members of the review committee, a summary of the review
31 committee's recommended results, and any results of performance

32 testing conducted after the project is completed.

33 Sec. 9. Section 8B.11, subsection 4, Code 2019, is amended
34 to read as follows:

35 4. a. The office shall award grants on a competitive

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1 basis for the installation of broadband infrastructure that
2 facilitates broadband service in targeted service areas at
3 or above the download and upload speeds specified in the
4 definition of targeted service area in section 8B.1, after
5 considering the following:

6 (1) The relative need for broadband infrastructure in the
7 area and the existing broadband service speeds, including
8 whether the project serves a rural area or areas.

9 (2) The applicant's total proposed budget for the project,
10 including the amount or percentage of local or federal matching
11 funds, if any, any funding obligations shared between public
12 and private entities, and the percentage of funding provided
13 directly from the applicant.

14 (3) The relative download and upload speeds of proposed
15 projects for all applicants.

16 (4) The specific product attributes resulting from the
17 proposed project, including technologies that provide higher
18 qualities of service, such as service levels, latency, and
19 other service attributes as determined by the office.

20 ~~(2)~~ (5) The percentage of the homes, farms, schools, and
21 businesses in the targeted service area that will be provided
22 access to broadband service.

23 ~~(3)~~ (6) The geographic diversity of the project areas of
24 all the applicants.

25 ~~(4)~~ (7) The economic impact of the project to the area.

26 (5) ~~The applicant's total proposed budget for the project,~~
27 ~~including the amount or percentage of local match, if any.~~

28 ~~(6)~~ (8) Other factors the office deems relevant.

29 b. In considering the factors listed in paragraph "a"
30 for awarding grants pursuant to this section, the office
31 shall afford the greatest weight to the factors described in
32 paragraph "a", subparagraphs (1) through (3).

33 ~~b. c.~~ Except as otherwise provided in this section, the
34 office shall not evaluate applications based on the office's
35 knowledge of the applicant except for ~~the~~ information ~~provided~~

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1 ~~is~~ obtained by the office during the application process or
2 period for public comment.

3 Sec. 10. Section 8B.11, subsections 7 and 8, Code 2019, are
4 amended to read as follows:

5 7. The office shall not award a grant pursuant to this
6 section on or after July 1, ~~2020~~ 2025.

7 8. The office ~~shall~~ may adopt rules pursuant to chapter 17A

8 interpreting this chapter or necessary for administering this
9 chapter, including but not limited to rules relating to the
10 broadband grant program process, management, and measurements
11 as deemed necessary by the office.

12 Sec. 11. Section 8B.11, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 9. The office shall adopt rules
15 establishing procedures to allow aggrieved applicants an
16 opportunity to challenge the office's award of grants under
17 this section.

18 Sec. 12. Section 427.1, subsection 40, paragraphs a and b,
19 Code 2019, are amended to read as follows:

20 a. The owner of broadband infrastructure shall be entitled
21 to an exemption from taxation to the extent provided in this
22 subsection for assessment years beginning before January 1,
23 ~~2022 2027~~. For the purposes of Unless the context otherwise
24 requires, the words and phrases used in this subsection:
25 "broadband infrastructure" and "targeted service area" mean the
26 same as shall have the same meaning as the words and phrases
27 used in chapter 8B, including but not limited to the words and
28 phrases defined in section 8B.1.

29 b. The exemption shall apply to the installation of
30 broadband infrastructure that facilitates broadband service
31 at or above ~~twenty five megabits per second of download speed~~
32 ~~and three megabits per second of upload speed~~ the download
33 and upload speeds specified in the definition of targeted
34 service area in section 8B.1 commenced and completed on or
35 after July 1, 2015, and before July 1, ~~2020~~ 2025, in a targeted

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1 service area, and used to deliver internet services to the
2 public. A person claiming an exemption under this subsection
3 shall certify to the local assessor prior to commencement of
4 the installation that the ~~broadband~~ installation of broadband
5 infrastructure will take place facilitate broadband service
6 at or above the download and upload speeds specified in the
7 definition of targeted service area in section 8B.1 within a
8 targeted service area and shall specify the current number of
9 homes, farms, schools, and businesses in the targeted service
10 area that were offered broadband service and the download and
11 upload speeds available prior to the broadband infrastructure
12 installation for which the exemption is claimed and the number
13 of homes, farms, schools, and businesses in the targeted
14 service area that will be offered broadband service and the
15 download and upload speeds that will be available as a result
16 of installation of the broadband infrastructure for which the
17 exemption is claimed.

18 Sec. 13. Section 427.1, subsection 40, paragraph f,
19 subparagraph (1), subparagraph division (d), Code 2019, is
20 amended to read as follows:

21 (d) Certification from the office of the chief information

22 officer pursuant to section 8B.10 that the installation is
23 ~~being performed or was completed will facilitate broadband~~
24 ~~service at or above the download and upload speeds specified~~
25 ~~in the definition of targeted service area in section 8B.1 in~~
26 ~~a targeted service area. Certification from the office of~~
27 ~~the chief information officer that broadband infrastructure~~
28 ~~installed in a targeted service area facilitates broadband~~
29 ~~service at or above twenty-five megabits per second of download~~
30 ~~speed and three megabits per second of upload speed.~~

31 Sec. 14. Section 427.1, subsection 40, paragraph i, Code
32 2019, is amended to read as follows:

33 i. This subsection is repealed July 1, ~~2024~~ 2030.

34 DIVISION III
35 WORKFORCE HOUSING TAX INCENTIVE PROGRAM

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1 Sec. 15. Section 15.119, subsection 2, paragraph g, Code
2 2019, is amended to read as follows:

3 g. The workforce housing tax incentives program administered
4 pursuant to sections 15.351 through 15.356. In allocating
5 tax credits pursuant to this subsection, the authority shall
6 not allocate more than ~~twenty~~ twenty-five million dollars for
7 purposes of this paragraph. Of the moneys allocated under
8 this paragraph, ~~five~~ ten million dollars shall be reserved for
9 allocation to qualified housing projects in small cities, as
10 defined in section 15.352, that are registered on or after July
11 1, 2017.

12 Sec. 16. Section 15.119, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 5. Notwithstanding subsection 1, and
15 in addition to amounts allocated pursuant to subsection 2,
16 paragraph “g”, the authority shall allocate ten million dollars
17 to the workforce housing tax incentives program administered
18 pursuant to sections 15.351 through 15.356, for qualified
19 housing projects located in a county that has been declared
20 a major disaster by the president of the United States on
21 or after March 12, 2019, and that is also a county in which
22 individuals are eligible for federal individual assistance.
23 In allocating tax credits pursuant to this subsection for the
24 period beginning July 1, 2019, and ending June 30, 2024, the
25 authority shall not allocate more than ten million dollars for
26 purposes of this subsection. This subsection is repealed July
27 1, 2024.

28 Sec. 17. Section 15.352, subsection 10, Code 2019, is
29 amended to read as follows:

30 10. “*Small city*” means any city or township located in this
31 state, except those located wholly within one or more of the
32 eleven most populous counties in the state, as determined by
33 the most recent federal decennial census population estimates
34 issued by the United States bureau of census. ~~For the purposes~~
35 ~~of this part, a small city that is located in more than one~~

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1 county shall be considered to be located in the county having
2 the greatest taxable base within the small city.

3 Sec. 18. Section 15.353, subsection 2, Code 2019, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. f. For a housing project located in any
6 county that has been declared a major disaster by the president
7 of the United States on or after March 12, 2019, and that is
8 also a county in which individuals are eligible for federal
9 individual assistance, development at a greenfield site.

10 Sec. 19. Section 15.354, subsection 1, paragraph a, Code
11 2019, is amended to read as follows:

12 a. A housing business seeking workforce housing tax
13 incentives provided in section 15.355 shall make application to
14 the authority in the manner prescribed by the authority. The
15 authority may accept applications on a continuous basis during
16 one or more annual application periods to be determined by the
17 authority by rule.

18 Sec. 20. Section 15.354, subsection 1, Code 2019, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. c. In addition to complying with all
21 applicable requirements in paragraph "b", a housing business
22 that chooses to be considered as an applicant for tax credits
23 reserved pursuant to section 15.119, subsection 5, shall also
24 submit a certification that the applicant's housing project is
25 located in a county that has been declared a major disaster by
26 the president of the United States on or after March 12, 2019,
27 and is also a county in which individuals are eligible for
28 federal individual assistance. The housing business must also
29 submit documentation that provides evidence that the qualified
30 housing project is needed due to impact of the disaster that is
31 the subject of the presidential major disaster declaration.

32 Sec. 21. Section 15.354, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. ~~Registration.~~ Application review — tax incentive award.

35 a. All completed applications shall be reviewed and scored

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1 on a competitive basis by the authority pursuant to rules
2 adopted by the authority.

3 ~~a. b.~~ Upon review of the application, the authority
4 may register the housing project under the program. If the
5 authority registers the housing project, the authority shall
6 make a preliminary determination as to the amount of tax
7 incentives for which the housing project qualifies and scoring
8 of all applications received during an application period, the
9 authority may make a tax incentive award to a housing project,
10 which tax incentive award shall represent the maximum amount of
11 tax incentives the housing project may qualify for under the
12 program. In determining a tax incentive award, the authority

13 shall not use an amount of project costs that exceeds the
14 amount included in the application of the housing business.
15 Tax incentive awards shall be approved by the director of the
16 authority.
17 ~~b. c.~~ After ~~registering the housing project making a~~
18 tax incentive award, the authority shall notify the housing
19 business of ~~successful registration under the program~~ its tax
20 incentive award. The notification shall include the amount
21 of tax incentives under section 15.355 for which the housing
22 business has received ~~preliminary approval~~ an award and a
23 statement that the ~~amount is a preliminary determination only~~
24 housing business has no right to receive a tax incentive
25 certificate or claim a tax incentive until all requirements
26 of the program, including all requirements imposed by the
27 agreement entered into pursuant to subsection 3, are satisfied.
28 The amount of tax credits included on a tax credit certificate
29 issued pursuant to this section, or a claim for refund of sales
30 and use taxes, shall be contingent upon completion of ~~the all~~
31 requirements in subsection 3.
32 d. An applicant that does not receive a tax incentive award
33 during an application period may make additional applications
34 during subsequent application periods. Such applicant shall be
35 required to submit a new application and shall be competitively

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1 reviewed and scored in the same manner as other applicants in
2 that application period.
3 Sec. 22. Section 15.354, subsection 3, paragraphs a and e,
4 Code 2019, are amended to read as follows:
5 a. Upon ~~successful registration of receipt of a tax~~
6 incentive award by the housing project, the housing business
7 shall enter into an agreement with the authority for the
8 successful completion of all requirements of the program. The
9 agreement shall identify the tax incentive award amount, the
10 tax incentive award date, the project completion deadline, and
11 the total costs of the housing project.
12 e. (1) Upon review of the examination and verification
13 of the amount of the qualifying new investment, the authority
14 may notify the housing business of the amount that the housing
15 business may claim as a refund of the sales and use tax under
16 section 15.355, subsection 2, and may issue a tax credit
17 certificate to the housing business stating the amount of
18 workforce housing investment tax credits under section 15.355,
19 subsection 3, the eligible housing business may claim. The
20 sum of the amount that the housing business may claim as a
21 refund of the sales and use tax and the amount of the tax credit
22 certificate shall not exceed the amount of the tax incentive
23 award.
24 (2) If upon review of the examination in subparagraph
25 (1) the authority determines that a housing project has
26 incurred project costs in excess of the amount submitted in the

27 application made pursuant to subsection 1 and identified in the
28 agreement, the authority shall do one of the following:
29 (a) If the project costs do not cause the housing project's
30 average dwelling unit cost to exceed the applicable maximum
31 amount authorized in section 15.353, subsection 3, the
32 authority may consider the agreement fulfilled and may issue a
33 tax credit certificate.
34 (b) If the project costs cause the housing project's
35 average dwelling unit cost to exceed the applicable maximum

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1 amount authorized in section 15.353, subsection 3, but does not
2 cause the average dwelling unit cost to exceed one hundred ten
3 percent of such applicable maximum amount, the authority may
4 consider the agreement fulfilled and may issue a tax credit
5 certificate. In such case, the authority shall reduce the tax
6 incentive award and the corresponding amount of tax incentives
7 the eligible housing project may claim under section 15.355,
8 subsections 2 and 3, by the same percentage that the housing
9 project's average dwelling unit cost exceeds the applicable
10 maximum amount under section 15.353, subsection 3, and such
11 tax incentive reduction shall be reflected on the tax credit
12 certificate. If the authority issues a certificate pursuant
13 to this subparagraph division, the department of revenue
14 shall accept the certificate notwithstanding that the housing
15 project's average dwelling unit costs exceeds the maximum
16 amount specified in section 15.353, subsection 3.
17 (c) If the project costs cause the housing project's
18 average dwelling unit cost to exceed one hundred ten percent
19 of the applicable maximum amount authorized in section 15.353,
20 subsection 3, the authority shall determine the eligible
21 housing business to be in default under the agreement, shall
22 revoke the tax incentive award, and shall not issue a tax
23 credit certificate. The housing business shall not be allowed
24 a refund of sales and use tax under section 15.355, subsection
25 2.
26 Sec. 23. Section 15.354, subsection 4, Code 2019, is amended
27 by striking the subsection and inserting in lieu thereof the
28 following:
29 4. *Maximum tax incentives amount.*
30 a. (1) For fiscal years beginning on or after July 1, 2019,
31 the authority shall not award in any fiscal year an amount of
32 tax incentives for housing projects located in small cities, or
33 for other housing projects, in excess of the amounts allocated
34 for each category in section 15.119, subsection 2, paragraph
35 "g". This paragraph "a" applies to housing projects awarded tax

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1 incentives pursuant to subsection 2 on or after July 1, 2019,
2 and to housing projects registered prior to July 1, 2019, under

3 section 15.354, subsection 2, Code 2019.

4 (2) Notwithstanding subparagraph (1), and section 15.119,
5 subsection 2, paragraph “g”, if the sum of the amount of tax
6 incentives applied for in valid applications submitted in a
7 given fiscal year beginning on or after July 1, 2019, for
8 housing projects located in small cities, plus the amount
9 of tax incentives eligible for issuance to housing projects
10 located in small cities that were registered prior to July
11 1, 2019, under section 15.354, subsection 2, Code 2019, does
12 not exceed the amount reserved for housing projects located
13 in small cities pursuant to section 15.119, subsection 2,
14 paragraph “g”, the authority may award the remaining amount of
15 tax incentives reserved for housing projects located in small
16 cities to other housing projects during that same fiscal year.

17 (3) Notwithstanding subparagraph (1), and section 15.119,
18 subsection 2, paragraph “g”, the authority may award during a
19 fiscal year an aggregate amount of tax incentives to housing
20 projects located in small cities that is less than the amount
21 reserved for allocation to small cities under section 15.119,
22 subsection 2, paragraph “g”, provided the difference between
23 the amount of the small city reservation and the aggregate
24 amount actually awarded to small cities during that fiscal year
25 is awarded during that same fiscal year to housing projects
26 registered prior to July 1, 2018.

27 b. With regard to a housing project registered prior to
28 July 1, 2019, a tax incentive shall be considered awarded for
29 purposes of paragraph “a” when the authority enters into an
30 agreement with the housing business for that housing project
31 as provided under section 15.354, subsection 3, Code 2019.
32 Notwithstanding any provision of law to the contrary, a housing
33 business shall have no right to enter into an agreement with
34 the authority for a housing project registered prior to July 1,
35 2019, until the authority allocates an amount of tax incentives

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1 to the housing project and notifies the housing business
2 that the authority is prepared to execute the agreement
3 and make a tax incentive award for the housing project. A
4 housing business shall have no right to receive a tax credit
5 certificate or claim a tax incentive for a housing project
6 registered prior to July 1, 2019, until the housing business
7 enters into an agreement with the authority.

8 c. In making tax incentive awards during any fiscal year
9 in which there are housing projects registered prior to July
10 1, 2019, which are eligible to receive tax incentives under
11 the program, the authority shall give priority in making tax
12 incentive awards to housing projects registered prior to July
13 1, 2019. The authority shall create and maintain a wait list
14 of housing projects registered prior to July 1, 2019, and such
15 housing projects shall be placed on the wait list in the order
16 the housing projects were registered.

- 17 *d.* The maximum aggregate amount of tax incentives that
18 may be awarded and issued under section 15.355 to a housing
19 business for a housing project shall not exceed one million
20 dollars.
- 21 *e.* If a housing business qualifies for a higher amount
22 of tax incentives under section 15.355 than is allowed by
23 the limitation imposed in paragraph “*d*”, the authority and
24 the housing business may negotiate an apportionment of the
25 reduction in tax incentives between the sales tax refund
26 provided in section 15.355, subsection 2, and the workforce
27 housing investment tax credits provided in section 15.355,
28 subsection 3, provided the total aggregate amount of tax
29 incentives after the apportioned reduction does not exceed the
30 amount in paragraph “*d*”.
- 31 *f.* The authority shall issue tax incentives under the
32 program on a first-come, first-served basis until the maximum
33 amount of tax incentives allocated under section 15.119,
34 subsection 2, paragraph “*g*”, is reached. The authority shall
35 maintain a list of housing projects registered prior to July

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- 1 1, 2019, and of housing projects awarded tax incentives on or
2 after July 1, 2019, so that if the maximum aggregate amount
3 of tax incentives is reached in a given fiscal year, such
4 registered housing projects that were completed but for which
5 tax incentives were not issued, and such housing projects that
6 were completed and are awarded tax incentives but for which tax
7 incentives have not been issued, shall be placed on a wait list
8 in the order the housing projects were registered or awarded
9 tax incentives and shall be given priority for receiving tax
10 incentives in succeeding fiscal years.
- 11 Sec. 24. Section 15.354, subsection 5, Code 2019, is amended
12 to read as follows:
- 13 5. *Termination and repayment.* The failure by a housing
14 business in completing a housing project to comply with any
15 requirement of this program or any of the terms and obligations
16 of an agreement entered into pursuant to this section may
17 result in the revocation, reduction, termination, or rescission
18 of the tax incentive award or the approved tax incentives and
19 may subject the housing business to the repayment or recapture
20 of tax incentives claimed under section 15.355. The repayment
21 or recapture of tax incentives pursuant to this section shall
22 be accomplished in the same manner as provided in section
23 15.330, subsection 2.
- 24 Sec. 25. Section 15.354, Code 2019, is amended by adding the
25 following new subsection:
- 26 NEW SUBSECTION. 6. *Disaster recovery housing projects.*
- 27 *a.* For purposes of this subsection, “*disaster recovery*
28 *housing project*” means a qualified housing project located in a
29 county that has been declared a major disaster by the president
30 of the United States on or after March 12, 2019, and that is

31 also a county in which individuals are eligible for federal
32 individual assistance.
33 *b.* Notwithstanding subsection 1, the authority may accept
34 applications for disaster recovery housing projects on a
35 continuous basis.

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1 *c.* Notwithstanding subsection 2, paragraphs “*a*”, “*b*”, and
2 “*d*”, upon review of a housing business’s application, the
3 authority may make a tax incentive award to a disaster recovery
4 housing project. The tax incentive award shall represent the
5 maximum amount of tax incentives that the disaster recovery
6 housing project may qualify for under the program. In
7 determining a tax incentive award, the authority shall not use
8 an amount of project costs that exceeds the amount included in
9 the application of the housing business. Tax incentive awards
10 shall be approved by the director of the authority.
11 *d.* The authority shall administer tax credit allocations
12 for disaster recovery housing projects separately from the
13 general allocation and separately from the allocation reserved
14 for small cities in section 15.119, subsection 2, paragraph
15 “*g*”. The authority shall issue tax incentives under the
16 program for disaster recovery housing projects on a first-come,
17 first-served basis until the maximum amount of tax incentives
18 allocated under section 15.119, subsection 5, is reached. The
19 authority shall maintain a list of disaster recovery housing
20 projects awarded tax incentives under the program, so that if
21 the maximum aggregate amount of tax incentives allocated for
22 disaster recovery housing projects under the program is reached
23 in a given fiscal year, such disaster recovery housing projects
24 that were completed but for which tax incentives were not
25 issued shall be placed on a wait list in the order the disaster
26 recovery housing projects were awarded tax incentives pursuant
27 to paragraph “*c*”, and shall be given priority for receiving tax
28 incentives in succeeding fiscal years.

29 Sec. 26. Section 15.355, subsection 2, Code 2019, is amended
30 to read as follows:

31 2. A housing business may claim a refund of the sales and
32 use taxes paid under chapter 423 that are directly related to
33 a housing project and specified in the agreement. The refund
34 available pursuant to this subsection shall be as provided in
35 section 15.331A, excluding subsection 2, paragraph “*c*”, of

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1 that section. For purposes of the program, the term “*project*
2 *completion*”, as used in section 15.331A, shall mean the date on
3 which the authority notifies the department of revenue that all
4 applicable requirements of an agreement entered into pursuant
5 to section 15.354 are satisfied.

6 Sec. 27. Section 15.355, subsection 3, paragraph a,

7 subparagraphs (1) and (2), Code 2019, are amended to read as
8 follows:

9 (1) For a housing project not located in a small city, ten
10 percent of the qualifying new investment of a housing project
11 specified in the agreement.

12 (2) For a housing project located in a small city, twenty
13 percent of the qualifying new investment of a housing project
14 specified in the agreement.

15 Sec. 28. Section 15.355, subsection 3, paragraph a, Code
16 2019, is amended by adding the following new subparagraph:
17 NEW SUBPARAGRAPH. (3) For a housing project located in a
18 county that has been declared a major disaster by the president
19 of the United States on or after March 12, 2019, and that is
20 also a county in which individuals are eligible for federal
21 individual assistance, twenty percent of the qualifying new
22 investment of a housing project.

23 Sec. 29. WORKFORCE HOUSING TAX INCENTIVES PROGRAM — FISCAL
24 YEAR 2019–2020. Notwithstanding section 15.119, subsection 2,
25 paragraph “g”, for the fiscal year beginning July 1, 2019, and
26 ending June 30, 2020, all moneys allocated pursuant to section
27 15.119, subsection 2, paragraph “g”, shall be allocated by the
28 economic development authority to qualified housing projects
29 in small cities, as defined in section 15.352, that were
30 registered prior to July 1, 2019. If the sum of the amount of
31 tax incentives allocated in the fiscal year beginning July 1,
32 2019, and ending June 30, 2020, for housing projects located in
33 small cities that were registered prior to July 1, 2019, does
34 not exceed the moneys that may be allocated pursuant to section
35 15.119, subsection 2, paragraph “g”, the authority may allocate

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1 the remaining moneys to other qualified housing projects that
2 were registered prior to July 1, 2019.

3 Sec. 30. EMERGENCY RULES. The economic development
4 authority may adopt emergency rules under section 17A.4,
5 subsection 3, and section 17A.5, subsection 2, paragraph “b”,
6 to implement the provisions of this division of this Act and
7 the rules shall be effective immediately upon filing unless
8 a later date is specified in the rules. Any rules adopted
9 in accordance with this section shall also be published as a
10 notice of intended action as provided in section 17A.4.

11 Sec. 31. EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.

13 Sec. 32. APPLICABILITY.

14 1. Except as provided in subsection 2, this division of
15 this Act applies to housing projects awarded tax incentives by
16 the authority under the program on or after July 1, 2019, and
17 housing projects registered by the authority under the program
18 prior to July 1, 2019, shall be governed by sections 15.352,
19 15.354, and 15.355, Code 2019.

20 2. The provision of this division of this Act amending

21 section 15.354, subsection 4, applies to housing projects
22 registered by the authority under the program prior to July 1,
23 2019, and to housing projects awarded tax incentives by the
24 authority under the program on or after July 1, 2019.>
25 2. Title page, by striking lines 1 and 2 and inserting <An
26 Act creating an empower rural Iowa Act to provide incentives
27 for broadband and workforce housing, and including effective
28 date and applicability provisions.>

RANDY FEENSTRA

S-3223

1 Amend the House amendment, S-3215, to Senate File 615, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, line 34, by striking <5,016,708> and inserting
4 <5,156,708>
5 2. Page 18, line 34, by striking <a.>
6 3. Page 19, by striking lines 4 through 15.

ROBERT M. HOGG

S-3224

1 Amend the House amendment, S-3215, to Senate File 615, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 11, line 27, by striking <1,015,442> and inserting
4 <965,442>
5 2. Page 16, line 24, by striking <825,520> and inserting
6 <875,520>
7 3. Page 20, line 21, by striking <285,982> and inserting
8 <335,982>
9 4. Page 20, after line 21 by inserting:
10 <Notwithstanding section 8.33, moneys appropriated in this
11 section that remain unencumbered or unobligated at the close of
12 the fiscal year shall not revert but shall remain available for
13 expenditure for the purposes designated until the close of the
14 succeeding fiscal year.>

ROBERT M. HOGG
TODD TAYLOR

S-3225

HOUSE AMENDMENT TO
SENATE FILE 592

1 Amend Senate File 592, as passed by the Senate, as follows:
2 1. By striking page 1, line 1, through page 16, line 32, and
3 inserting:
4 <DIVISION ____
5 PHYSICIAN ASSISTANTS — MEDICAID APPROVED PROVIDERS>

6 2. Page 17, after line 8 by inserting:

7 <DIVISION ____

8 PRACTICE OF OPTOMETRY

9 Sec. ____ Section 154.1, subsection 3, Code 2019, is amended
10 to read as follows:

11 3. a. An optometrist licensed under this chapter may employ
12 all diagnostic and therapeutic pharmaceutical agents for the
13 purpose of diagnosis and treatment of conditions of the human
14 eye and adnexa pursuant to this subsection, ~~excluding the~~
15 ~~use of injections other than to counteract an anaphylactic~~
16 ~~reaction, and~~ notwithstanding section 147.107, may without
17 charge supply any of the above pharmaceuticals to commence a
18 course of therapy. A licensed optometrist may perform minor
19 surgical procedures and use medications for the diagnosis and
20 treatment of diseases, disorders, and conditions of the eye and
21 adnexa. ~~A Notwithstanding paragraph "b," a~~ license to practice
22 optometry under this chapter does not authorize the performance
23 of surgical procedures which require the use of injectable
24 or general anesthesia, moderate sedation, penetration of the
25 globe, or the use of ophthalmic lasers for the purpose of
26 ophthalmic surgery within or upon the globe. The removal of
27 pterygia and Salzmann's nodules, incisional corneal refractive
28 surgery, and strabismus surgery are prohibited.

29 b. (1) A licensed optometrist may administer only the
30 following injections:

31 (a) Sub-conjunctival injections for the medical treatment
32 of the eye.

33 (b) Intra-lesional injections for the treatment of
34 chalazia.

35 (c) Local anesthetic for the purpose of draining an eyelid

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1 abscess.

2 (d) Injections to counteract an anaphylactic reaction.

3 (2) An optometrist shall not administer any injection prior
4 to receiving approval from the board.

5 (3) The board shall not approve the use of injections
6 other than to counteract an anaphylactic reaction unless the
7 optometrist demonstrates to the board sufficient educational
8 or clinical training from a college or university accredited
9 by a regional or professional accreditation organization which
10 is recognized or approved by the council for higher education
11 accreditation or by the United States department of education
12 or clinical training equivalent to clinical training offered
13 by such an institution. A license granted to an applicant who
14 graduated from an accredited school of optometry and who passed
15 the injections skills examination of the national board of
16 examiners in optometry examination on or after January 1, 2011
17 shall constitute proof of sufficient educational or clinical
18 training.

19 ~~b.~~ c. A licensed optometrist may employ and,

20 notwithstanding section 147.107, supply pharmaceutical-
 21 delivering contact lenses for the purpose of treatment of
 22 conditions of the human eye and adnexa. For purposes of
 23 this paragraph, "*pharmaceutical-delivering contact lenses*"
 24 means contact lenses that contain one or more therapeutic
 25 pharmaceutical agents authorized for employment by this section
 26 for the purpose of treatment of conditions of the human eye and
 27 adnexa and that deliver such agents into the wearer's eye.
 28 ~~e.~~ d. A licensed optometrist may prescribe oral steroids
 29 for a period not to exceed fourteen days without consultation
 30 with a physician.
 31 ~~f.~~ e. A licensed optometrist may be authorized, where
 32 reasonable and appropriate, by rule of the board, to employ new
 33 diagnostic and therapeutic pharmaceutical agents approved by
 34 the United States food and drug administration on or after July
 35 1, 2002, for the diagnosis and treatment of the human eye and

Page 3

1 adnexa.
 2 ~~e.~~ f. The board is not required to adopt rules relating to
 3 topical pharmaceutical agents, oral antimicrobial agents, oral
 4 antihistamines, oral antiglaucoma agents, and oral analgesic
 5 agents. A licensed optometrist may remove superficial foreign
 6 bodies from the human eye and adnexa.
 7 ~~f.~~ g. The therapeutic efforts of a licensed optometrist
 8 are intended for the purpose of examination, diagnosis, and
 9 treatment of visual defects, abnormal conditions, and diseases
 10 of the human eye and adnexa, for proper optometric practice
 11 or referral for consultation or treatment to persons licensed
 12 under chapter 148.
 13 ~~g.~~ h. A licensed optometrist is an optometrist who is
 14 licensed to practice optometry in this state and who is
 15 certified by the board to use the agents and procedures
 16 authorized pursuant to this subsection.>
 17 3. Title page, by striking lines 1 and 2 and inserting <An
 18 Act relating to the practice of certain health care professions
 19 including the practice of optometry and the inclusion of
 20 physician assistants as approved providers under the Medicaid
 21 program.>
 22 4. By renumbering as necessary.

S-3226

HOUSE AMENDMENT TO SENATE FILE 203

1 Amend Senate File 203, as passed by the Senate, as follows:
 2 1. Page 1, by striking lines 8 through 13.
 3 2. Title page, by striking lines 1 and 2 and inserting
 4 <An Act relating to stocking of waters located on private
 5 property.>

S-3227

1 Amend Senate File 152 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 235F.1, subsection 17, Code 2019, is
5 amended to read as follows:

6 17. "*Vulnerable elder*" means a person sixty years of age or
7 older who is unable to protect himself or herself from elder
8 abuse as a result of ~~age or~~ a mental or physical condition
9 or because of a personal circumstance which results in an
10 increased risk of harm to the person.>

DAN DAWSON

S-3228

1 Amend Senate File 624 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 2.48, subsection 3, paragraph e,
5 subparagraph (1), Code 2019, is amended to read as follows:

6 (1) The ~~agricultural assets transfer~~ beginning farmer
7 tax credit program as provided in ~~section 16.80~~ chapter 16,
8 subchapter VIII, part 5, subpart B.

9 Sec. 2. Section 16.2, subsection 1, unnumbered paragraph 1,
10 Code 2019, is amended to read as follows:

11 An Iowa finance authority board of directors is created. The
12 powers of the authority are vested in and shall be exercised
13 by the board. The authority includes nine members appointed
14 by the governor subject to confirmation by the senate. The
15 authority also includes one ex officio voting member who must
16 be designated by the agricultural development board created in
17 section 16.2C and be a member of that board.

18 Sec. 3. Section 16.2, subsections 2 and 3, Code 2019, are
19 amended to read as follows:

20 2. ~~Members~~ The members of the authority ~~shall be~~ appointed
21 by the governor shall serve for staggered terms of six years
22 beginning and ending as provided in section 69.19. A person
23 appointed by the governor to fill a vacancy shall serve only
24 for the unexpired portion of the term. A member is eligible
25 for reappointment. The ex officio voting member designated by
26 the agricultural development board shall serve at the pleasure
27 of that board. A member of the authority may be removed from
28 office by the governor for misfeasance, malfeasance, or willful
29 neglect of duty or other just cause, after notice and hearing,
30 unless the notice and hearing is expressly waived in writing.

31 3. ~~Five~~ Six members of the authority constitute a quorum and
32 the affirmative vote of a majority of the ~~appointed~~ members is
33 necessary for any substantive action taken by the authority.
34 The majority shall not include any member who has a conflict of
35 interest and a statement by a member of a conflict of interest

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1 shall be conclusive for this purpose. A vacancy in the
2 membership does not impair the right of a quorum to exercise
3 all rights and perform all duties of the authority.

4 Sec. 4. Section 16.2B, subsection 3, paragraph b, Code 2019,
5 is amended to read as follows:

6 ~~b. Obtain agricultural assets transfer~~ Claim beginning
7 farmer tax credits, including tax credit certificates issued
8 pursuant to subchapter VIII, part 5, subpart B.

9 Sec. 5. Section 16.59, subsection 4, Code 2019, is amended
10 to read as follows:

11 4. For a family farm limited liability company, an aggregate
12 net worth of all members, including each member's ownership
13 interest in the family farm limited liability company, and
14 each member's spouse and minor children of not greater than
15 twice the low or moderate net worth. However, the aggregate
16 net worth of each member and that member's spouse and minor
17 children shall not exceed the low or moderate net worth.

18 Sec. 6. NEW SECTION. 16.77 Definitions.

19 As used in this subpart B, unless the context otherwise
20 requires:

21 1. "*Agricultural development board*" means the agricultural
22 development board created in section 16.2C.

23 2. "*Agricultural lease agreement*" or "*agreement*" means an
24 agreement for the transfer of agricultural assets, that must at
25 least include a lease of agricultural land, from an eligible
26 taxpayer to a qualified beginning farmer as provided in section
27 16.79A.

28 3. "*Department*" means the department of revenue.

29 4. "*Eligible taxpayer*" means a taxpayer who may participate
30 in the beginning farmer tax credit program, including by
31 meeting all the criteria as provided in section 16.79.

32 5. "*Program*" means the beginning farmer tax credit program
33 created pursuant to section 16.78.

34 6. "*Qualified beginning farmer*" means a beginning farmer
35 as defined in section 16.58 who meets the requirements to

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1 participate in a beginning farmer tax credit program as
2 provided in section 16.79.

3 7. "*Tax credit*" means the beginning farmer tax credit
4 allowed under section 16.82.

5 Sec. 7. NEW SECTION. 16.78 Beginning farmer tax credit
6 program — establishment and administration.

7 1. A beginning farmer tax credit program is established
8 under the control of the authority.

9 2. The authority and the department shall cooperate in
10 administering the program. The department shall have all
11 rulemaking powers necessary to administer its responsibilities
12 under this subpart as it does under chapter 422.

13 3. To every extent practicable, the authority shall
14 administer the program in a manner that encourages
15 participation by eligible taxpayers and qualifying beginning
16 farmers for the primary purposes of providing beginning farmers
17 access to farmland and enhancing the stability of the beginning
18 farmer's farming business.

19 4. The authority and the department shall each adopt
20 rules in accordance with chapter 17A as necessary for the
21 administration of their respective responsibilities under this
22 subpart. The eligibility requirements for taxpayers and the
23 qualifications for beginning farmers as provided in the rules
24 shall not be more stringent than provided in this subpart.

25 5. The authority shall provide for the preparation or
26 revision and publication or distribution of forms necessary to
27 administer their responsibilities under this subpart.

28 Sec. 8. NEW SECTION. **16.79 Beginning farmer tax credit**
29 **program — eligibility criteria.**

30 1. A taxpayer is eligible to participate in the beginning
31 farmer tax credit program if the taxpayer meets all of the
32 following requirements:

33 a. The taxpayer is a person who may acquire or otherwise
34 obtain or lease agricultural land in this state pursuant to
35 chapter 9H or 9I. However, the taxpayer must not be a person

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1 who may acquire or otherwise obtain or lease agricultural
2 land exclusively because of an exception provided in one of
3 those chapters or in a provision of another chapter of this
4 Code including but not limited to chapter 10, 10D, or 501, or
5 section 15E.207.

6 b. The taxpayer has entered into an agricultural lease
7 agreement with a qualified beginning farmer to lease
8 agricultural land as provided in section 16.79A.

9 c. The taxpayer has not been at fault for terminating a
10 prior agreement under the program or another agreement in which
11 the taxpayer was allowed to claim a tax credit under section
12 175.37 as it existed prior to January 1, 2015, or section 16.80
13 as it existed prior to January 1, 2018.

14 d. If the agreement includes the lease of a confinement
15 feeding operation structure as defined in section 459.102, the
16 taxpayer is not a party to a pending administrative or judicial
17 action, including a contested case proceeding under chapter
18 17A, relating to an alleged violation involving an animal
19 feeding operation as regulated by the department of natural
20 resources, regardless of whether the pending action is brought
21 by the department or the attorney general.

22 e. The taxpayer is not classified as a habitual violator for
23 a violation of state law involving an animal feeding operation
24 as regulated by the department of natural resources under
25 chapter 459.

26 f. The taxpayer is not a partner of a partnership,

27 shareholder of a family farm corporation, or member of a
28 family farm limited liability company that is the lessee of
29 an agricultural asset that is part of an agricultural lease
30 agreement.
31 2. A beginning farmer is a qualified beginning farmer
32 eligible to participate in the program by meeting all of the
33 following criteria:
34 a. Is a resident of the state. If the beginning farmer is a
35 partnership, all partners must be residents of the state. If a

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1 beginning farmer is a family farm corporation, all shareholders
2 must be residents of the state. If the beginning farmer is
3 a family farm limited liability company, all members must be
4 residents of the state.
5 b. Has sufficient education, training, or experience in
6 farming. If the beginning farmer is a partnership, at least
7 one partner who is not a minor must have sufficient education,
8 training, or experience in farming. If the beginning farmer is
9 a family farm corporation, at least one shareholder who is not
10 a minor must have sufficient education, training, or experience
11 in farming. If the beginning farmer is a family farm limited
12 liability company, at least one member who is not a minor must
13 have sufficient education, training, or experience in farming.
14 c. Has access to adequate working capital and production
15 items.
16 d. Will materially and substantially participate in
17 farming. If the beginning farmer is a partnership, family farm
18 corporation, or family farm limited liability company, at least
19 one of the partners, shareholders, or members who is not a
20 minor must materially and substantially participate in farming.
21 e. Does not own more than a ten percent ownership interest
22 in an agricultural asset included in the agreement.
23 Sec. 9. **NEW SECTION. 16.79A Agricultural lease agreement.**
24 1. A beginning farmer tax credit is allowed only for
25 agricultural assets that are subject to an agricultural lease
26 agreement entered into by an eligible taxpayer and a qualifying
27 beginning farmer participating in the beginning farmer tax
28 credit program established pursuant to section 16.78.
29 2. The agreement must include the lease of agricultural
30 land located in this state, including any improvements, and may
31 provide for the rental of agricultural equipment as defined in
32 section 322F.1.
33 3.a. The agreement must include provisions which describe
34 the consideration paid for the agreement in a manner that
35 allows the authority to calculate the value of the lease in

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1 order to determine the tax credit amount as provided in section
2 16.82.

- 3 **b.** The agreement must be in writing.
- 4 **c.** The agreement must be for at least two years, but not
5 more than five years. The agreement may be renewed by the
6 eligible taxpayer and qualified beginning farmer for a term of
7 at least two years, but not more than five years.
- 8 **d.** The agreement shall not include a lease or rental of
9 equipment intended as a security.
- 10 **e.** The agreement cannot be assigned and the agricultural
11 land subject to the agreement shall not be subleased.
- 12 **f.** (1) The agricultural assets shall not be leased or
13 rented at a rate that is substantially higher than the market
14 rate for similar agricultural assets leased or rented within
15 the same community.
- 16 (2) As used in subparagraph (1), when referring to an
17 agricultural asset that is cropland, "*substantially higher*"
18 means not more than thirty percent above the average cash rent
19 paid for cropland rented in the same county according to the
20 most recent cash rent survey for cropland published by a unit
21 of Iowa state university of science and technology recognized
22 by the authority.
- 23 **4. a.** The agreement may be amended after the authority
24 approves an application and makes a tax credit award without
25 changing the eligibility status of the taxpayer, except as
26 provided in paragraph "b".
- 27 **b.** The underlying lease for agricultural land may only be
28 amended without submitting a new application if any of the
29 following apply:
- 30 (1) The terms of the amended lease are more favorable to the
31 qualified beginning farmer, including but not limited to the
32 rent payment being reduced.
- 33 (2) A party has changed their name.
- 34 (3) The owner of an agricultural asset is changed to the
35 owner's estate or trust upon the eligible taxpayer's death.

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- 1 **c.** If an amendment to an agreement changes the total amount
2 that will be paid to the eligible taxpayer under the agreement,
3 the eligible taxpayer shall notify the authority in a manner
4 and form prescribed by the authority within thirty days of the
5 date the amendment is executed by the parties.
- 6 (1) If the amendment will reduce the total amount paid to
7 the eligible taxpayer under the agreement, the authority shall
8 recalculate and reduce the eligible taxpayer's tax credit award
9 under section 16.82A.
- 10 (2) If the amendment will increase the total amount paid to
11 the eligible taxpayer under the agreement, the tax credit award
12 shall not be increased unless the eligible taxpayer submits an
13 amended application to the authority in the manner and form
14 prescribed by the authority and that meets the requirements of
15 section 16.81. If the amended application is approved under
16 section 16.81, the authority may increase the amount of the tax

17 credit award. The increased amount of the tax credit award
18 shall be subject to the aggregate award limitation in section
19 16.82A for the calendar year in which the increased award is
20 made.

21 (3) This paragraph “c” does not apply to an amendment to an
22 agreement that requires a new application under paragraph “b” in
23 order to be valid.

24 5. An eligible taxpayer or qualified beginning farmer may
25 terminate an agreement as provided in the agreement or by
26 law. The eligible taxpayer must notify the authority of the
27 termination within thirty days of the date of termination in
28 the manner and form prescribed by the authority.

29 Sec. 10. NEW SECTION. 16.81 Beginning farmer tax credit
30 — **application.**

31 1. The deadline for submitting an application to the
32 authority to claim a beginning farmer tax credit is August 1 of
33 each year. The application shall be for a period that is not
34 longer than the term of the lease.

35 2. a. The authority shall impose, assess, and collect

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1 application fees on an interim basis until December 31, 2021.
2 The amount of an application fee shall not be more than the
3 following:

4 (1) For an application that includes an agreement for the
5 lease of one hundred acres or less of agricultural land, a fee
6 of three hundred dollars.

7 (2) For an application that includes an agreement for the
8 lease of more than one hundred acres, but not more than two
9 hundred fifty acres of agricultural land, a fee of four hundred
10 dollars.

11 (3) For an application that includes an agreement for the
12 lease of more than two hundred fifty acres of agricultural
13 land, a fee of five hundred dollars.

14 (4) For an amendment to an agreement that is part of an
15 application that has been previously approved, a fee of one
16 hundred dollars.

17 b. Any amount of fees collected by the authority under this
18 subsection shall be considered repayment receipts as defined
19 in section 8.2.

20 c. This subsection is repealed on January 1, 2022.

21 3. a. The authority shall impose, assess, and collect
22 application fees and shall adopt rules as necessary to
23 administer this subsection, including by providing for the rate
24 of those fees.

25 b. The authority may establish different rates based on
26 separate categories of applications or agricultural lease
27 agreements as determined relevant by the authority.

28 c. The authority shall calculate the rates of the
29 application fees to be effective for each successive
30 twelve-month period. The total amount of application fees

31 collected by the authority for that period shall not be more
32 than the authority's estimate of the total amount of revenues
33 necessary to administer the provisions of this subpart based
34 on the expected revenue to be collected from the application
35 fees and the expected costs to be incurred by the authority

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1 in administering the provisions of this subpart during that
2 period. The authority may adjust the rates throughout that
3 period as the authority determines necessary to comply with
4 this paragraph.
5 *d.* The amount of application fees collected by the authority
6 under this subsection shall be considered repayment receipts as
7 defined in section 8.2.
8 *e.*(1) The rules described in this subsection shall first
9 take effect immediately after the repeal of subsection 2.
10 (2) This paragraph "e" is repealed immediately after the
11 rules described in this subsection take effect.
12 4. An eligible taxpayer shall not participate in the
13 beginning farmer tax credit program for more than ten years,
14 and shall not receive more than ten tax credit certificates
15 under the program.
16 5. The agricultural development board shall review and
17 recommend approval of an application for a tax credit as
18 provided by rules adopted by the authority. The application
19 must include a copy of the agricultural lease agreement. The
20 authority may require that the parties to an agreement provide
21 additional information as determined relevant by the authority.
22 6. The authority shall approve all beginning farmer tax
23 credit applications that meet the requirements of this subpart
24 and make tax credit awards on a first-come, first-served basis,
25 subject to the limitations in section 16.82A.
26 7. After the authority has approved an application and made
27 a tax credit award, all of the following apply:
28 *a.* The authority shall issue beginning farmer tax credit
29 certificates to an eligible taxpayer on an annual basis as
30 provided in section 16.82A.
31 *b.* An eligible taxpayer may claim the tax credit each tax
32 year as provided in section 16.82.
33 8. Any financial, contractual, or legal authorization
34 records provided to the authority shall be kept confidential
35 and are not subject to chapter 22.

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1 Sec. 11. NEW SECTION. **16.82 Beginning farmer tax credit**
2 **— allowance.**
3 1. A beginning farmer tax credit is authorized under the
4 beginning farmer tax credit program as provided in section
5 16.78. The beginning farmer tax credit is allowed against
6 the taxes imposed in chapter 422, division II, as provided in

7 section 422.11E, and in chapter 422, division III, as provided
8 in section 422.33, subsection 21, to facilitate the transfer of
9 agricultural assets from an eligible taxpayer to a qualifying
10 beginning farmer participating in the program.

11 2. An individual may claim a beginning farmer tax credit
12 under this section of a partnership, limited liability company,
13 S corporation, estate, or trust electing to have income
14 taxed directly to the individual. The amount claimed by the
15 individual shall be based upon the pro rata share of the
16 individual's earnings from the partnership, limited liability
17 company, S corporation, estate, or trust.

18 3. Subject to the limitations described in subsections 5,
19 6, and 7, the authority shall determine the amount of the tax
20 credit under an agreement using the following methods:

21 a. In the case of an agreement on a fixed basis, in which
22 an eligible taxpayer receives a fixed cash rent payment, the
23 amount of the tax credit equals five percent of the amount of
24 the fixed cash rent payment for each year.

25 b. In the case of an agreement on a commodity share basis,
26 in which an eligible taxpayer receives as a rent payment a
27 percentage of the commodity produced, the amount of the tax
28 credit shall equal fifteen percent of the gross amount that
29 the eligible taxpayer would receive as a rent payment from
30 the sale of the eligible taxpayer's share of the crop in each
31 harvest year. The amount of the tax credit shall be based on
32 an equation established by rule adopted by the authority which
33 shall use data compiled by the United States department of
34 agriculture, which shall include all of the following factors:

35 (1) The past ten-year average per bushel yield for the

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1 same type of grain as produced under the agreement in the same
2 county where the leased agricultural land is located excluding
3 the years of highest and lowest per bushel yields.

4 (2) The per bushel state price established for the same
5 type of grain harvested as described in subparagraph (1).
6 Price information shall be averaged from the past five years
7 excluding the years of the highest and lowest per bushel state
8 price.

9 c. In the case of an agreement made on a flexible basis in
10 which an eligible taxpayer receives a rent payment consisting
11 of a fixed cash payment and an amount subject to adjustment
12 according to a risk-sharing arrangement, or receives a rent
13 payment consisting of an amount subject to adjustment according
14 to a risk-sharing arrangement, the amount of the tax credit
15 equals the sum of the following amounts:

16 (1) To the extent that a portion of the amount of the
17 rent payment is calculated on a fixed basis as described in
18 paragraph "a", that portion of the tax credit equals five
19 percent of the fixed cash payment in the same manner as
20 provided in paragraph "a".

21 (2) To the extent that a portion of the amount of the rent
22 payment is calculated on a commodity share basis as described
23 in paragraph "b", that portion of the tax credit equals fifteen
24 percent of the amount that the eligible taxpayer would receive
25 from the sale of the eligible taxpayer's share of the commodity
26 in the same manner as provided in paragraph "b".

27 (3)(a) To the extent that the amount of the rent payment
28 may be adjusted after taking into account all risk-sharing
29 factors provided in the agreement, that portion of the tax
30 credit equals fifteen percent of the highest adjusted amount
31 that the eligible taxpayer could receive in excess of the
32 amounts calculated in subparagraphs (1) and (2) based on an
33 equation adopted by rule by the authority.

34 (b) As used in subparagraph division (a), "*risk-sharing*
35 *factor*" means an occurrence or lack of occurrence that may

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1 affect the commodity's production or profitability as provided
2 in the agreement, and which may include but is not limited to
3 production costs, per acre crop yield, gross revenue, or market
4 price.

5 (c) The authority shall adopt rules establishing criteria
6 for commonly used risk-sharing factors and adjustment limits.

7 4. The authority shall provide the department with data, in
8 the format prescribed by the department, of eligible taxpayers
9 and persons who have been decertified due to lease termination
10 or other cause of ineligibility by January 31 of each year.

11 The data shall include the amount of the tax credit issued
12 for the most recent year and all expected future tax credits
13 under an agreement for each eligible taxpayer and the type of
14 agreement.

15 5. The amount of tax credits that may be awarded to an
16 eligible taxpayer for any one year under all agreements shall
17 not exceed fifty thousand dollars.

18 6. The amount of the tax credit shall be reduced by the
19 percent ownership interest of the qualifying beginning farmer
20 in the agricultural asset.

21 7. A tax credit in excess of the eligible taxpayer's
22 tax liability for the tax year is not refundable but may be
23 credited to the tax liability for the following ten tax years
24 or until depleted, whichever is earlier. A tax credit shall
25 not be carried back to a tax year prior to the tax year in which
26 the eligible taxpayer redeems the tax credit.

27 8.a. To claim a tax credit under this section, an eligible
28 taxpayer shall include one or more tax credit certificates with
29 the eligible taxpayer's tax return pursuant to rules adopted
30 by the department.

31 b. A tax credit shall not be transferable to any other
32 person other than the eligible taxpayer's estate or trust upon
33 the eligible taxpayer's death pursuant to rules adopted by the
34 department.

35 9. If an agreement is terminated by the eligible taxpayer,

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1 all of the following shall apply:

2 a. Any tax credit properly claimed by the eligible taxpayer
3 prior to the date of termination or for the year during which
4 the termination occurred shall be allowed except as provided
5 in paragraph "b", but no additional tax credits may be issued
6 or claimed under the program for that agreement. The eligible
7 taxpayer may apply for and be awarded another beginning farmer
8 tax credit under a new agreement for the same agricultural
9 assets as provided in this section.

10 b. If the authority determines that the eligible taxpayer is
11 at fault for the termination, any beginning farmer tax credit
12 that is claimed by the eligible taxpayer for the year during
13 which the termination occurred shall be disallowed and the
14 amount shall be considered a tax payment due. If an eligible
15 taxpayer does not notify the authority of the termination
16 within thirty days of the date of the termination in the manner
17 and form prescribed by the authority, the eligible taxpayer
18 shall be conclusively deemed at fault for the termination.

19 Sec. 12. NEW SECTION. 16.82A Beginning farmer tax credit
20 **awards — amount and availability.**

21 1.a. Upon approval of an application as provided in
22 section 16.81, the authority shall make a tax credit award
23 to the eligible taxpayer. The tax credit award shall equal
24 the sum of the tax credits calculated by the authority under
25 section 16.82 for all eligible years under the approved
26 agreement.

27 b. The authority shall notify the eligible taxpayer of
28 the tax credit award under the program. The notification
29 shall include the total tax credit award, the amount of the
30 tax credit award that will be issued by way of a tax credit
31 certificate in each future year under the approved agreement,
32 and a statement that the eligible taxpayer has no right to
33 receive tax credit certificates and claim tax credits under the
34 program if all requirements of the agreement and the program
35 are not satisfied.

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1 c. If after making a tax credit award the eligible taxpayer
2 or qualified beginning farmer no longer meets the requirements
3 of the agreement or the program, the authority may revoke a tax
4 credit award and may rescind a tax credit certificate.

5 2. The amount of beginning farmer tax credits that may be
6 awarded by the authority in any one calendar year under the
7 beginning farmer tax credit program shall not in the aggregate
8 exceed a limit of twelve million dollars. Tax credits shall
9 be awarded by the authority not later than December 15 of each
10 calendar year after the agricultural development board reviews

11 applications as provided in section 16.81 and the authority
 12 determines tax credit amounts for the approved applications as
 13 provided in section 16.82, aggregated for purposes of meeting
 14 the annual program award limits.

15 3.a. The authority shall issue tax credit certificates
 16 on an annual basis to eligible taxpayers who have received a
 17 tax credit award. The tax credit certificate shall contain the
 18 information required by the department.

19 b. The aggregate amount of tax credit certificates issued to
 20 an eligible taxpayer shall not exceed the eligible taxpayer's
 21 tax credit award.

22 c. A tax credit certificate, unless rescinded by the
 23 authority, shall be accepted by the department as payment for
 24 taxes pursuant to chapter 422, divisions II and III, subject
 25 to any conditions or restrictions placed by the authority upon
 26 the face of the tax credit certificate and subject to the
 27 limitations of the program.

28 Sec. 13. NEW SECTION. **422.11E Beginning farmer tax credit**
 29 **program.**

30 The taxes imposed under this division, less the credits
 31 allowed under section 422.12, shall be reduced by a beginning
 32 farmer tax credit as allowed under chapter 16, subchapter VIII,
 33 part 5, subpart B.

34 Sec. 14. Section 422.33, subsection 21, Code 2019, is
 35 amended to read as follows:

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1 21. The taxes imposed under this division shall be reduced
 2 by ~~an agricultural assets transfer~~ a beginning farmer tax
 3 credit as allowed under section 16.80 chapter 16, subchapter
 4 VIII, part 5, subpart B.

5 Sec. 15. REPEAL. Sections 16.80 and 422.11M, Code 2019,
 6 are repealed.

7 Sec. 16. APPLICABILITY OF PRIOR TAX CREDITS — APPROVED
 8 APPLICATIONS AND CERTIFICATES.

9 1. Notwithstanding any provision of this Act to the
 10 contrary, any agricultural asset transfer tax credit
 11 application approved prior to the effective date of this Act
 12 under section 16.80 as that section existed on or before
 13 December 31, 2018, for a year prior to 2019 but for which tax
 14 credit certificates could have been issued for a tax year
 15 beginning on or after January 1, 2019, shall be governed by
 16 section 16.80, Code 2019, and shall be eligible to receive
 17 tax credit certificates for tax years beginning on or after
 18 January 1, 2019, for the remainder of the agricultural lease
 19 term as provided by section 16.80, Code 2019. Tax credit
 20 certificates approved and issued pursuant to this subsection
 21 are not considered an award subject to the maximum tax credit
 22 award limitation in section 16.82A, as enacted in this Act.

23 2. a. Any application which was submitted prior to the
 24 effective date of this Act for the agricultural assets transfer

25 tax credit pursuant to section 16.80 as that section existed
26 on December 31, 2018, for the tax year beginning January 1,
27 2019, shall be governed by section 16.80, Code 2019, except as
28 provided in paragraph “b”.
29 b. Any amount of tax credit certificate approved and issued
30 pursuant to this subsection shall not be subject to the maximum
31 tax credit issuance limitation in section 16.80, subsection
32 10, Code 2019, but shall instead be counted in the same manner
33 as an award for purposes of the twelve million dollar calendar
34 year award limitation in section 16.82A, subsection 2, as
35 enacted in this Act, and shall reduce, dollar-for-dollar, that

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1 maximum calendar year award limitation for the calendar year
2 during which the tax credit certificate is issued.
3 Sec. 17. APPLICABILITY OF PRIOR TAX CREDITS — CONTINUANCE
4 OF CARRYOVER PROVISIONS. For any tax year commencing in
5 calendar years 2014 through 2018, a tax credit that could
6 have been first issued, awarded, or allowed and claimed under
7 sections 16.75 through 16.82 as those sections existed on
8 December 31, 2017, or under section 16.80 as that section
9 existed on December 31, 2018, may be credited to the tax
10 liability of that taxpayer for ten tax years following the tax
11 year for which the eligible taxpayer could have first claimed
12 the tax credit, or until depleted, whichever is earlier.
13 Sec. 18. EFFECTIVE DATE. This Act, being deemed of
14 immediate importance, takes effect upon enactment.
15 Sec. 19. RETROACTIVE APPLICABILITY. This Act applies
16 retroactively to January 1, 2019, for tax years beginning on or
17 after that date.>
18 2. Title page, by striking lines 1 through 3 and inserting
19 <An Act relating to agricultural development, by providing
20 for the Iowa finance authority, a beginning farmer tax credit
21 program, fees, and including effective date and retroactive
22 applicability provisions.>

RANDY FEENSTRA

S-3229

1 Amend House File 531, as passed by the House, as follows:
2 1. Page 1, before line 34 by inserting:
3 <Sec. ____ Section 96.5, subsection 2, Code 2019, is amended
4 by adding the following new paragraph:
5 NEW PARAGRAPH. d. For purposes of this subsection,
6 “misconduct” means a deliberate act or omission by an
7 employee that constitutes a material breach of the duties
8 and obligations arising out of the employee’s contract of
9 employment. “Misconduct” is limited to conduct evincing such
10 willful or wanton disregard of an employer’s interest as
11 is found in deliberate violation or disregard of standards

12 of behavior which the employer has the right to expect of
13 employees, or in carelessness or negligence of such degree of
14 recurrence as to manifest equal culpability, wrongful intent
15 or evil design, or to show an intentional and substantial
16 disregard of the employer's interests or of the employee's
17 duties and obligations to the employer. "*Misconduct*" includes
18 but is not limited to all of the following:

19 (1) Falsification by the individual of an employment
20 application to obtain employment.

21 (2) Knowing violation by the individual of a reasonable and
22 uniformly enforced rule of an employer.

23 (3) Damage of the employer's property through intentional
24 conduct by the individual.

25 (4) Dishonesty with the employer by the individual in
26 relation to the individual's employment.

27 (5) Consumption by the individual of alcohol, illegal or
28 nonprescribed prescription drugs, or an impairing substance
29 in an off-label manner, or a combination of such substances,
30 on the employer's premises in violation of the employer's
31 employment policies.

32 (6) Reporting to work under the influence of alcohol,
33 illegal or nonprescribed prescription drugs, or an impairing
34 substance used in an off-label manner, or a combination of such
35 substances, in violation of the employer's employment policies,

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1 unless the individual is compelled to report to work by the
2 employer outside of scheduled or on-call working hours.

3 (7) Conduct by the individual that endangers the personal
4 safety of the individual, coworkers, or the general public.

5 (8) Incarceration of the individual that results in missing
6 work for an act for which one could reasonably expect to be
7 incarcerated.

8 (9) Incarceration of the individual following conviction of
9 a misdemeanor or felony by a court of competent jurisdiction.

10 (10) Excessive unexcused tardiness or absenteeism.

11 (11) Falsification by the individual of any work-related
12 report, task, or job that could expose the employer or
13 coworkers to legal liability or sanction for violation of
14 health or safety laws.

15 (12) Failure by the individual to maintain any license,
16 registration, or certification that is reasonably required by
17 the employer, that is required by law, or that is a functional
18 requirement to perform the individual's regular job duties,
19 unless the failure is not within the control of the individual.

20 (13) Conduct by the individual that is libelous or
21 slanderous toward the employer or an employee of the employer
22 if such conduct is not protected under state or federal law.

23 (14) Conduct by the individual creating or attempting to
24 create dissension or animus against the employer or a coworker
25 if such conduct is not protected under state or federal law.

- 26 (15) Theft of funds or property of the employer or a
27 coworker by the individual.
28 (16) Misrepresentation by the individual of time worked
29 or work carried out that results in the individual receiving
30 unearned wages or unearned benefits.>
31 2. Page 3, by striking lines 30 and 31 and inserting:
32 <Sec. ____ Section 96.40, subsection 2, paragraph e, Code
33 2019, is amended to read as follows:>
34 3. By striking page 3, line 35, through page 4, line 2.
35 4. Page 4, by striking lines 3 through 7.

Page 3

- 1 5. Page 5, line 6, by striking <paragraphs “e” and “i”> and
2 inserting <paragraph “e”>
3 6. Page 5, by striking lines 7 and 8.
4 7. By renumbering as necessary.

JIM CARLIN

S-3230

- 1 Amend House File 531, as passed by the House, as follows:
2 1. Page 3, before line 5 by inserting:
3 <Sec. ____ Section 96.11, Code 2019, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 17. *Electronic notifications for weekly*
6 *claims.* The department shall provide an individual submitting
7 a claim for benefits with an electronic confirmation that the
8 claim was successfully submitted. The confirmation shall
9 include a confirmation number for the claim and shall be
10 provided for each weekly claim. Such confirmation shall not be
11 considered an acknowledgment that a claim is valid.>
12 2. Page 5, after line 12 by inserting:
13 <3. The following apply to any new claim for unemployment
14 benefits with an effective date on or after January 5, 2020:
15 a. The section of this Act amending section 96.11.>
16 3. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3231

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 692

- 1 Amend the Senate amendment, H-1244, to House File 692, as
2 passed by the House, as follows:
3 1. By striking page 1, line 4, through page 56, line 8, and
4 inserting:

<<DIVISION I

HOSPITAL BOARD OF TRUSTEES ELECTIONS

Section 1. Section 347.9, subsection 1, Code 2019, is amended to read as follows:

1. When it has been determined by the voters of a county to establish a county public hospital, the board shall appoint five or seven trustees chosen from among the resident citizens of the county with reference to their fitness for office. The appointed trustees shall hold office until the following general election, at which time their successors shall be elected, three for a term of four years and the remainder for a term of two years, and they shall determine by lot their respective terms, and thereafter their successors shall be elected for regular terms of four years each, except as provided in subsection 3.

Sec. 2. Section 347.9, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Trustees in a county with a population of at least four hundred thousand shall serve for a term of six years. A trustee elected to a term of four years in or after January 2018 shall instead serve a term of six years.

Sec. 3. Section 347.10, Code 2019, is amended to read as follows:

347.10 Vacancies.

Vacancies on the board of trustees may, ~~until the next general election,~~ be filled by appointment by the remaining members of the board of trustees or, if fewer than a majority of the trustees remain on the board, by the board of supervisors for the period until the vacancies are filled by election. An appointment made under this section shall be for the unexpired balance of the term of the preceding trustee. If

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1 a board member is absent for four consecutive regular board
2 meetings, without prior excuse, or fails to comply with more
3 stringent attendance requirements for regular board meetings
4 included in the bylaws governing the board, the member's
5 position shall be declared vacant and filled as set out in this
6 section.

7 Sec. 4. HOSPITAL BOARD OF TRUSTEES ELECTIONS.

8 Notwithstanding section 347.9, for elections held pursuant to
9 section 347.9 in 2022 in which more than seventy percent of
10 trustee positions on a board are on the ballot:

11 1. If there are seven trustees on the board:

12 a. If six trustees are to be elected, the four elected who
13 receive the highest number of votes are elected for four-year
14 terms. The remainder are elected for two-year terms. In case
15 of a tie, the county auditor shall determine by lot which of
16 the trustees with the lowest number of winning votes shall
17 serve two-year terms and thereafter their successors shall be
18 elected for regular terms as provided in section 347.9.

19 b. If five trustees are to be elected, the four elected who
20 receive the highest number of votes are elected for four-year
21 terms. The remaining trustee is elected for a two-year term.
22 In case of a tie, the county auditor shall determine by lot
23 which of the trustees with the lowest number of winning votes
24 shall serve the two-year term and thereafter their successors
25 shall be elected for regular terms as provided in section
26 347.9.

27 2. If there are five trustees on the board, if four trustees
28 are to be elected, the three elected who receive the highest
29 number of votes are elected for four-year terms. The remaining
30 trustee is elected for a two-year term. In case of a tie, the
31 county auditor shall determine by lot which of the trustees
32 with the lowest number of winning votes shall serve the
33 two-year term and thereafter their successors shall be elected
34 for regular terms as provided in section 347.9.

35 DIVISION II

Page 3

1 TECHNICAL CHANGES

2 Sec. 5. Section 39.2, subsection 4, paragraphs a, b, and c,
3 Code 2019, are amended to read as follows:

4 a. For a county, ~~on the day of the general election, on~~
5 ~~the day of the regular city election, on the date of a special~~
6 ~~election held to fill a vacancy in the same county, or on the~~
7 ~~first Tuesday in March in an odd-numbered year, the first~~
8 ~~Tuesday in May March, or the first second Tuesday in August~~
9 ~~of each year September, or the first Tuesday after the first~~
10 ~~Monday in November. For a county, in an even-numbered year,~~
11 ~~the first Tuesday in March or the second Tuesday in September.~~

12 b. For a city, ~~on the day of the general election, on the~~
13 ~~day of the regular city election, on the date of a special~~
14 ~~election held to fill a vacancy in the same city, or on the~~
15 ~~first Tuesday in March in an odd-numbered year, the first~~
16 ~~Tuesday in May March, or the first second Tuesday in August~~
17 ~~of each year September, or the first Tuesday after the first~~
18 ~~Monday in November. For a city, in an even-numbered year, the~~
19 ~~first Tuesday in March or the second Tuesday in September.~~

20 c. For a school district or merged area, in the odd-numbered
21 year, the first Tuesday in ~~February March, the first Tuesday in~~
22 ~~April, the last second Tuesday in June September, or the second~~
23 ~~first Tuesday after the first Monday in September November.~~
24 For a school district or merged area, in the even-numbered
25 year, the first Tuesday in ~~February, the first Tuesday in~~
26 ~~April March, or the second Tuesday in September, or the second~~
27 ~~Tuesday in December.~~

28 Sec. 6. Section 39A.3, subsection 1, paragraph a, Code 2019,
29 is amended by adding the following new subparagraph:

30 **NEW SUBPARAGRAPH.** (5) Falsely or fraudulently signs
31 nomination papers on behalf of another person.

32 Sec. 7. Section 39A.3, subsection 1, Code 2019, is amended

33 by adding the following new paragraph:
34 **NEW PARAGRAPH. c. Miscellaneous offenses.** Uses voter
35 registration information, including resale or redistribution

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1 of the voter registration list without written permission of
2 the state registrar, for purposes other than those permitted
3 by section 48A.39.
4 Sec. 8. Section 39A.4, subsection 1, paragraph c,
5 subparagraph (5), Code 2019, is amended by striking the
6 subparagraph.
7 Sec. 9. Section 39A.6, Code 2019, is amended to read as
8 follows:
9 **39A.6 Technical infractions — notice.**
10 1. If the state commissioner or county commissioner becomes
11 aware of an apparent technical violation of a provision of
12 chapters 39 through 53, the state commissioner or county
13 commissioner may administratively provide a written notice
14 and letter of instruction to the responsible person regarding
15 proper compliance procedures.
16 2. If the state commissioner sends a notice of such a
17 technical infraction to a county commissioner, the state
18 commissioner may require a written explanation of the
19 occurrence, and measures that the person took to redress the
20 issues contained within the notice.
21 3. This notice is not a final determination of facts or law
22 in the matter, and does not entitle a person to a proceeding
23 under chapter 17A.
24 Sec. 10. Section 43.14, subsection 1, Code 2019, is amended
25 by adding the following new paragraph:
26 **NEW PARAGRAPH. g.** The printed name, signature, address,
27 and phone number of the person responsible for circulating the
28 petition page.
29 Sec. 11. Section 43.14, subsection 2, Code 2019, is amended
30 to read as follows:
31 2. a. Signatures on a petition page shall be counted only
32 if the information required in subsection 1 is written or
33 printed at the top of the page.
34 b. Nomination papers on behalf of candidates for seats in
35 the general assembly need only designate the number of the

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1 senatorial or representative district, as appropriate, and
2 not the county or counties, in which the candidate and the
3 petitioners reside.
4 c. A signature line shall not be counted if the line
5 lacks the signature of the eligible elector and the signer's
6 residential address, with street and number, if any, and city.
7 A signature line shall not be counted if an eligible elector
8 supplies only a partial address or a post office box address,

9 or if the signer's address is obviously outside the boundaries
10 of the district.

11 d. A signature line shall not be counted if any of the
12 required information is crossed out or redacted at the time
13 the nomination papers are filed with the state commissioner or
14 commissioner.

15 Sec. 12. Section 43.14, subsection 4, Code 2019, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *f.* Any other information required by section
18 43.18.

19 Sec. 13. Section 43.15, subsection 2, Code 2019, is amended
20 to read as follows:

21 2. Each signer shall add the signer's ~~residence~~ residential
22 address, with street and number, if any, and the date of
23 signing.

24 Sec. 14. Section 43.22, unnumbered paragraph 1, Code 2019,
25 is amended to read as follows:

26 The state commissioner shall, at least sixty-nine days
27 before a primary election, or as soon as practicable if an
28 objection under section 43.24 is pending, furnish to the
29 commissioner of each county a certificate under the state
30 commissioner's hand and seal, which certificate shall show:

31 Sec. 15. Section 43.24, subsection 1, paragraph b,
32 subparagraphs (1) and (2), Code 2019, are amended to read as
33 follows:

34 (1) Those filed with the state commissioner, not less than
35 seventy-four days before the date of the election, or for

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1 certificates of nomination filed under section 43.23, not less
2 than seventy days before the date of the election.

3 (2) Those filed with the commissioner, not less than
4 sixty-four days before the date of the election, or for
5 certificates of nomination filed under section 43.23, not less
6 than sixty-two days before the date of the election.

7 Sec. 16. Section 45.5, subsection 1, Code 2019, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *f.* The printed name, signature, address,
10 and phone number of the person responsible for circulating the
11 petition page.

12 Sec. 17. Section 45.5, subsection 2, Code 2019, is amended
13 to read as follows:

14 2. a. Signatures on a petition page shall be counted only
15 if the information required in subsection 1 is written or
16 printed at the top of the page.

17 b. Nomination papers on behalf of candidates for seats in
18 the general assembly need only designate the number of the
19 senatorial or representative district, as appropriate, and
20 not the county or counties, in which the candidate and the
21 petitioners reside.

22 c. A signature line in a nomination petition shall not be

23 counted if the line lacks the signature of the eligible elector
24 and the signer's residential address, with street and number,
25 if any, and city. A signature line shall not be counted if
26 an eligible elector supplies only a partial address or a post
27 office box address, or if the signer's address is obviously
28 outside the boundaries of the appropriate ward, city, school
29 district or school district director district, legislative
30 district, or other district.
31 d. A signature line shall not be counted if any of the
32 required information is crossed out or redacted at the time
33 the nomination papers are filed with the state commissioner or
34 commissioner.
35 Sec. 18. Section 45.6, subsection 2, Code 2019, is amended

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1 to read as follows:
2 2. Each signer shall add the signer's ~~residence~~ residential
3 address, with street and number, if any, and city.
4 Sec. 19. Section 47.1, subsection 6, Code 2019, is amended
5 to read as follows:
6 6. The state commissioner may, at the state commissioner's
7 discretion, examine the records of a commissioner to evaluate
8 complaints and to ensure compliance with the provisions
9 of chapters 39 through 53. This examination shall include
10 assessments conducted or authorized by private or government
11 entities to evaluate a county's security readiness for
12 elections-related technology or physical facilities. The state
13 commissioner shall adopt rules pursuant to chapter 17A to
14 require a commissioner to provide written explanations related
15 to examinations conducted pursuant to this subsection. Any
16 information that is requested by or in the possession of the
17 state commissioner pursuant to this chapter shall not lose its
18 confidential status pursuant to section 22.7, subsection 50.
19 Sec. 20. Section 47.1, Code 2019, is amended by adding the
20 following new subsections:
21 NEW SUBSECTION. 7. The state commissioner may share
22 information a county provides to an appropriate government
23 agency to safeguard against cybersecurity or physical threats.
24 NEW SUBSECTION. 8. The state commissioner may adopt rules
25 pursuant to chapter 17A to create minimum security protocols
26 applicable to county commissioners of elections. If a county
27 fails to adhere to these protocols, the state commissioner may
28 limit access to the statewide voter registration system.
29 Sec. 21. Section 47.2, Code 2019, is amended by adding the
30 following new subsection:
31 NEW SUBSECTION. 7. The county commissioner of elections
32 shall, to maintain election security, do all of the following:
33 a. When the county commissioner believes that a
34 cybersecurity incident or data breach has occurred, the county
35 commissioner shall immediately inform the state commissioner

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1 of elections.

2 *b.* If the county commissioner has no reason to believe
3 that a cybersecurity incident or data breach has occurred,
4 the county commissioner shall certify that fact to the state
5 commissioner on an annual basis.

6 Sec. 22. Section 47.7, subsection 2, paragraph d, Code 2019,
7 is amended to read as follows:

8 *d.* The state registrar shall prescribe by rule the
9 procedures for access to the state voter registration file,
10 ~~security requirements, and access protocols for adding,~~
11 ~~changing, or deleting information from the state voter~~
12 ~~registration file including all of the following:~~

13 (1) Access protocols for adding, changing, or deleting
14 information from the state voter registration file.

15 (2) Training requirements for all state voter registration
16 file users.

17 (3) Technology safeguards, including county information
18 technology network requirements, necessary to access the state
19 voter registration file.

20 (4) Breach incident response requirements and protocols on
21 all matters related to elections.

22 Sec. 23. Section 47.7, subsection 2, Code 2019, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *e.* The state registrar may rescind access to
25 the statewide voter registration file from a user who is not in
26 compliance with the prescribed rules.

27 Sec. 24. Section 48A.9, subsection 4, Code 2019, is amended
28 to read as follows:

29 4. Registration forms submitted to voter registration
30 agencies, to motor vehicle driver's license stations, and to
31 county treasurer's offices participating in county issuance of
32 driver's licenses under chapter 321M shall be considered on
33 time if they are received no later than ~~5:00~~ 11:59 p.m. on the
34 day registration closes for that election. Offices or agencies
35 other than the county commissioner's office are not required

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1 to be open for voter registration purposes at times other than
2 their usual office hours.

3 Sec. 25. Section 48A.26, subsection 1, Code 2019, is amended
4 to read as follows:

5 1.a. Except as otherwise provided in ~~paragraph~~
6 paragraphs "b" and "c" of this subsection, or section 48A.26A,
7 within seven working days of receipt of a voter registration
8 form or change of information in a voter registration record
9 the commissioner shall send an acknowledgment to the registrant
10 at the mailing address shown on the registration form. The
11 acknowledgment shall be sent by nonforwardable mail.

12 *b.* For a voter registration form or change of information

13 in a voter registration record submitted at a precinct caucus,
14 the commissioner shall send an acknowledgment within forty-five
15 days of receipt of the form or change of information.

16 c. For a voter registration form or change of information in
17 a voter registration record submitted within fourteen days of a
18 regularly scheduled election, the commissioner shall send an
19 acknowledgment within forty-eight hours of receipt of the form
20 or change of information.

21 Sec. 26. Section 49.11, Code 2019, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 4. Notice of changes made pursuant to
24 subsection 3 shall be reported to the state commissioner at
25 least twenty-five days before the next election in which the
26 temporary precinct will be active, or, for elections held
27 pursuant to section 69.14 while the general assembly is in
28 session or within forty-five days of the convening of a session
29 of the general assembly, at least ten days before election day.

30 Sec. 27. Section 49.31, subsection 1, paragraph a, Code
31 2019, is amended to read as follows:

32 a. All ballots shall be arranged with the names of
33 candidates for each office listed below the office title.
34 For partisan elections the name of the political party or
35 organization which nominated each candidate shall be listed

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1 after or below each candidate's name. The state commissioner
2 may prescribe, and a county commissioner may use, uniform
3 abbreviations for political parties and organizations.

4 Sec. 28. Section 49.57, subsection 2, Code 2019, is amended
5 to read as follows:

6 2. After the name of each candidate for a partisan office
7 the name of the candidate's political party shall be printed
8 in at least six point type. The names of political parties
9 and nonparty political organizations may be abbreviated on
10 the remainder of the ballot if both the full name and the
11 abbreviation appear in the voter instruction area of the
12 ballot.

13 Sec. 29. Section 50.51, subsection 6, Code 2019, is amended
14 to read as follows:

15 6. The state commissioner shall adopt rules, pursuant
16 to chapter 17A, to implement this section, which may include
17 the establishment of pilot programs related to post-election
18 audits.

19 Sec. 30. NEW SECTION. 53.1A Rules.

20 The state commissioner shall adopt rules pursuant to chapter
21 17A for the implementation of this chapter.

22 Sec. 31. Section 53.8, subsection 1, paragraph a,
23 unnumbered paragraph 1, Code 2019, is amended to read as
24 follows:

25 Upon receipt of an application for an absentee ballot
26 and immediately after the absentee ballots are printed,

27 but not more than twenty-nine days before the election, the
28 commissioner shall mail an absentee ballot to the applicant
29 within twenty-four hours, except as otherwise provided in
30 subsection 3. When the United States post office is closed
31 in observance of a federal holiday and is not delivering mail
32 on the twenty-ninth day before the election, the first day to
33 mail absentee ballots is the next business day on which mail
34 delivery is available. The absentee ballot shall be sent to
35 the registered voter by one of the following methods:

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1 Sec. 32. 2017 Iowa Acts, chapter 155, section 13, is amended
2 by striking the section.

3 Sec. 33. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.

5 DIVISION III

6 CONDUCT OF ELECTIONS

7 Sec. 34. Section 43.30, subsection 2, Code 2019, is amended
8 to read as follows:

9 2. The commissioner shall make sample ballots available to
10 the public upon request. The sample ballots shall be clearly
11 marked as sample ballots. A reasonable fee may be charged for
12 printing costs if a person requests multiple copies of sample
13 ballots. The commissioner shall not distribute sample ballots
14 except as provided in this subsection.

15 Sec. 35. Section 43.36, Code 2019, is amended to read as
16 follows:

17 43.36 Australian ballot.

18 The Australian ballot system as now used in this state,
19 except as herein modified, shall be used at said primary
20 election. The endorsement of the precinct election officials
21 and the ~~facsimile of the commissioner's signature~~ county
22 seal shall appear upon the ballots as provided for general
23 elections.

24 Sec. 36. Section 43.91, Code 2019, is amended to read as
25 follows:

26 43.91 Voter at caucus ~~must be precinct resident~~ — 27 qualifications.

28 Any person voting at a precinct caucus must be a person who
29 is or will by the date of the next general election become
30 an eligible elector, who has not already participated in the
31 caucus of any political party within the same year, and who is
32 a resident of the precinct. A list of the names and addresses
33 of each person to whom a ballot was delivered or who was
34 allowed to vote in each precinct caucus shall be prepared by
35 the caucus chairperson and secretary who shall certify such

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1 list to the commissioner at the same time as the names of
2 those elected as delegates and party committee members are so

3 certified.

4 Sec. 37. Section 44.4, subsection 1, Code 2019, is amended
5 to read as follows:

6 1. a. Nominations made pursuant to this chapter and
7 chapter 45 which are required to be filed in the office of the
8 state commissioner shall be filed in that office not more than
9 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
10 ~~eighty-first~~ day before the ~~date of the general election to be~~
11 ~~held in November~~ first Tuesday after the first Monday in June
12 in each even-numbered year. Nominations made for a special
13 election called pursuant to section 69.14 shall be filed by
14 5:00 p.m. not less than twenty-five days before the date of
15 an election called upon at least forty days' notice and not
16 less than fourteen days before the date of an election called
17 upon at least eighteen days' notice. Nominations made for
18 a special election called pursuant to section 69.14A shall
19 be filed by 5:00 p.m. not less than twenty-five days before
20 the date of the election. Nominations made pursuant to this
21 chapter and chapter 45 which are required to be filed in the
22 office of the commissioner shall be filed in that office not
23 more than ninety-two days nor later than 5:00 p.m. on the
24 ~~sixty-ninth~~ ~~seventy-fourth~~ day before the ~~date of the general~~
25 ~~election~~ first Tuesday after the first Monday in June in each
26 even-numbered year. Nominations made pursuant to this chapter
27 or chapter 45 for city office shall be filed not more than
28 seventy-two days nor later than 5:00 p.m. on the forty-seventh
29 day before the city election with the county commissioner
30 of elections responsible under section 47.2 for conducting
31 elections held for the city, who shall process them as provided
32 by law.

33 b. Notwithstanding paragraph "a", nominations for president
34 and vice president of the United States shall be filed in the
35 office of the state commissioner not more than ninety-nine days

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1 nor later than 5:00 p.m. on the eighty-first day before the
2 date of the general election to be held in November.

3 Sec. 38. Section 47.2, subsection 2, Code 2019, is amended
4 to read as follows:

5 2. a. When an election is to be held as required by law
6 or is called by a political subdivision of the state and the
7 political subdivision is located in more than one county, the
8 county commissioner of elections of the county having the
9 greatest taxable base within the political subdivision shall
10 conduct that election. The county commissioners of elections
11 of the other counties in which the political subdivision
12 is located shall cooperate with the county commissioner of
13 elections who is conducting the election.

14 b. Notwithstanding paragraph "a", for a city primary
15 election, city runoff election or a special election for
16 a city, school district, or merged area, if a political

subdivision is located in more than one county, the county commissioner of elections of a county not having the greatest taxable base within the political subdivision may designate that the controlling commissioner of the political subdivision shall conduct that election if fewer than one hundred and twenty-five registered voters of the political subdivision are located within such county commissioner's county. If the controlling commissioner is so designated, section 50.24, subsections 3A and 3B, as enacted by 2017 Iowa Acts, ch. 155, 828, shall not apply. For the purposes of this paragraph, the number of registered voters shall be the number of registered voters in the political subdivision of a county not having the greatest taxable base on May 1 immediately preceding the first day of the filing period for candidates for the election. If May 1 falls on a day when the county commissioner's office is closed for business, the county commissioner shall use the number of registered voters on the next day that the county commissioner's office is open for business to determine the number of registered voters.

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Sec. 39. Section 47.2, Code 2019, is amended by adding the following new subsection:
NEW SUBSECTION. 7. The county commissioner shall not participate in an absentee ballot drive or collection effort in cooperation with a candidate, candidate's committee, political party, or nonparty political organization. However, when a county commissioner is a candidate for election, such a county commissioner may participate in an absentee ballot drive or collection effort, but shall not aid any other candidate, candidate's committee, political party, or nonparty political organization.

Sec. 40. Section 49.21, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The commissioner shall remove or obscure from the view of voters any published material displaying the name of a candidate or elected official other than a ballot or sample ballot or envelope.

Sec. 41. **NEW SECTION. 49.49 Certain sample ballots prohibited.**

The commissioner and state commissioner of elections shall not distribute or authorize the distribution of sample ballots to voters other than as provided in sections 49.53 and 52.29.

Sec. 42. Section 49.51, Code 2019, is amended to read as follows:

49.51 Commissioner to control printing.

The commissioner shall have charge of the printing of the ballots to be used for any election held in the county, unless the commissioner delegates that authority as permitted by this section. The commissioner may delegate this authority only to another commissioner who is responsible under section 47.2

31 for conducting the elections held for a political subdivision
32 which lies in more than one county, and only with respect to
33 printing of ballots containing only public questions or the
34 names of candidates to be voted upon by the registered voters
35 of that political subdivision. Only one ~~facsimile signature~~

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1 county seal, that of the county of the commissioner under
2 whose direction the ballot is printed, shall appear on the
3 ballot. It is the duty of the commissioner to insure that the
4 arrangement of any ballots printed under the commissioner's
5 direction conforms to all applicable requirements of this
6 chapter.

7 Sec. 43. Section 49.57, subsection 6, Code 2019, is amended
8 to read as follows:

9 6. A portion of the ballot shall include the words "Official
10 ballot", the unique identification number or name assigned by
11 the commissioner to the ballot style, the date of the election,
12 and ~~a facsimile of the signature~~ the county seal of the county
13 of the commissioner who has caused the ballot to be printed
14 pursuant to section 49.51.

15 Sec. 44. Section 49.82, Code 2019, is amended to read as
16 follows:

17 **49.82 Voter to receive one ballot — endorsement.**

18 When an empty voting booth is available, one of the precinct
19 election officials shall endorse the official's initials on
20 each ballot the voter will receive. The initials shall be
21 placed so that they may be seen when the ballot is properly
22 folded or enclosed in a secrecy folder. The name or signature
23 of the commissioner shall not appear on the ballot except as
24 part of the list of candidates when the commissioner is a
25 candidate for election. The official shall give the voter one
26 and only one of each of the ballots to be voted at that election
27 in that precinct, except as provided by section 49.100. No
28 ballot without the required official endorsement shall be
29 placed in the ballot box.

30 Sec. 45. Section 53.11, Code 2019, is amended by adding the
31 following new subsection:

32 **NEW SUBSECTION. 6.** The commissioner shall remove or obscure
33 from the view of voters any published material displaying the
34 name of a candidate or elected official other than a ballot or
35 sample ballot or envelope.

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1 DIVISION IV
2 CONFLICTS OF INTEREST

3 Sec. 46. Section 314.2, Code 2019, is amended by striking
4 the section and inserting in lieu thereof the following:

5 **314.2 Conflicts of interest.**

6 A state or county official who is a voting member of a

7 governmental entity responsible for awarding a contract
8 pursuant to section 314.1 and is the apparent low bidder for
9 the contract shall not participate in a vote to award the
10 contract and shall include an explanation of the official's
11 conflict in the resolution entered pursuant to section 26.12.
12 Sec. 47. EFFECTIVE DATE. This division of this Act takes
13 effect January 1, 2023.

14 DIVISION V
15 BALLOT ORDER

16 Sec. 48. Section 49.31, subsection 1, paragraph b, Code
17 2019, is amended to read as follows:

18 b.(1) The commissioner shall determine the order of
19 political parties and nonparty political organizations
20 candidates on the ballot as provided in this paragraph. The
21 sequence order shall be the same for each office on the ballot
22 and for each precinct in the county voting in the election.

23 (2) The state commissioner shall compile a list of each
24 county in the state in alphabetical order and assign a number
25 to each county such that the first county listed is number
26 one, the second county listed is number two, and continuing
27 in descending order in the same manner. The commissioner
28 shall put in alphabetical order the top two political parties
29 receiving the highest votes from the most recent election.

30 (3) The commissioner of each county assigned an even number
31 pursuant to subparagraph (2) shall arrange the ballot as
32 follows:

33 (a) The candidates of the first political party by
34 alphabetical order pursuant to subparagraph (2) shall appear
35 first on the ballot for the first general election at which the

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1 president of the United States is to be elected following the
2 effective date of this Act and second on the ballot for the
3 first general election at which the governor will be elected
4 following the effective date of this Act and second on the
5 ballot for the second general election at which the president
6 of the United States is to be elected following the effective
7 date of this Act and first on the ballot for the second general
8 election at which the governor will be elected following the
9 effective date of this Act, and thereafter alternating with the
10 candidates of the second political party by alphabetical order
11 pursuant to subparagraph (2).

12 (b) The candidates of the second political party by
13 alphabetical order pursuant to subparagraph (2) shall appear
14 second on the ballot for the first general election at which
15 the president of the United States is to be elected following
16 the effective date of this Act and first on the ballot for
17 the first general election at which the governor will be
18 elected following the effective date of this Act and first
19 on the ballot for the second general election at which the
20 president of the United States is to be elected following the

21 effective date of this Act and second on the ballot for the
22 second general election at which the governor will be elected
23 following the effective date of this Act, and thereafter
24 alternating with the candidates of the first political party by
25 alphabetical order pursuant to subparagraph (2).
26 (4) The commissioner of each county assigned an odd number
27 pursuant to subparagraph (2) shall arrange the ballot as
28 follows:
29 (a) The candidates of the second political party by
30 alphabetical order pursuant to subparagraph (2) shall appear
31 first on the ballot for the first general election at which the
32 president of the United States is to be elected following the
33 effective date of this Act and second on the ballot for the
34 first general election at which the governor will be elected
35 following the effective date of this Act and second on the

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1 ballot for the second general election at which the president
2 of the United States is to be elected following the effective
3 date of this Act and first on the ballot for the second general
4 election at which the governor will be elected following the
5 effective date of this Act, and thereafter alternating with the
6 candidates of the first political party by alphabetical order
7 pursuant to subparagraph (2).
8 (b) The candidates of the first political party by
9 alphabetical order pursuant to subparagraph (2) shall appear
10 second on the ballot for the first general election at which
11 the president of the United States is to be elected following
12 the effective date of this Act and first on the ballot for
13 the first general election at which the governor will be
14 elected following the effective date of this Act and first
15 on the ballot for the second general election at which the
16 president of the United States is to be elected following the
17 effective date of this Act and second on the ballot for the
18 second general election at which the governor will be elected
19 following the effective date of this Act, and thereafter
20 alternating with the candidates of the second political party
21 by alphabetical order pursuant to subparagraph (2).
22 (c) The commissioner shall determine the order of
23 candidates of nonparty political organizations on the ballot.
24 The order shall be the same for each office on the ballot and
25 for each precinct in the county voting in the election.
26 Sec. 49. Section 49.31, subsection 2, paragraph b, Code
27 2019, is amended to read as follows:
28 b. The Notwithstanding any provision of subsection 1,
29 paragraph "b", to the contrary, the commissioner shall then
30 arrange the surnames of each political party's candidates for
31 each office to which two or more persons are to be elected at
32 large alphabetically for the respective offices for the first
33 precinct on the list; thereafter, for each political party and
34 for each succeeding precinct, the names appearing first for

35 the respective offices in the last preceding precinct shall

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1 be placed last, so that the names that were second before the
2 change shall be first after the change. The commissioner may
3 also rotate the names of candidates of a political party in the
4 reverse order of that provided in this subsection or alternate
5 the rotation so that the candidates of different parties shall
6 not be paired as they proceed through the rotation. The
7 procedure for arrangement of names on ballots provided in this
8 section shall likewise be substantially followed in elections
9 in political subdivisions of less than a county.

10 DIVISION VI

11 MUNICIPAL ELECTIONS

12 Sec. 50. Section 44.9, subsection 3, Code 2019, is amended
13 to read as follows:

14 3. In the office of the proper school board secretary, at
15 least ~~thirty five~~ forty-two days before the day of a regularly
16 scheduled school election.

17 Sec. 51. Section 50.48, subsection 7, Code 2019, is amended
18 to read as follows:

19 7. If the election is ~~an election held by a city which~~
20 ~~is not the final election for the office in question a city~~
21 primary election held pursuant to section 376.7, the recount
22 shall progress according to the times provided by this
23 subsection. If this subsection applies the canvass shall be
24 held by the second day after the election, the request for
25 a recount must be made by the third day after the election,
26 the board shall convene to conduct the recount by the sixth
27 day after the election, and the report shall be filed by the
28 ~~eleventh~~ eighth day after the election.

29 Sec. 52. Section 50.48, Code 2019, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 8. When a city council has chosen a runoff
32 election pursuant to section 376.9, the recount shall progress
33 according to the times provided by this subsection. If this
34 subsection applies, the canvass shall be conducted pursuant
35 to section 50.24. The request for a recount must be made

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1 by the day after the canvass, and the board shall convene
2 for the first time not later than the first Friday following
3 the canvass. The report shall be filed not later than the
4 fourteenth day after the election.

5 Sec. 53. Section 260C.12, subsection 1, as amended by
6 2017 Iowa Acts, chapter 155, section 2, is amended to read as
7 follows:

8 1. The board of directors of the merged area shall organize
9 at the first regular meeting following the regular school
10 election or at a special meeting called by the secretary of the

11 board to organize the board in advance of the first regular
12 meeting ~~following the regular school election~~ after the canvass
13 for the regular school election. Organization of the board
14 shall be effected by the election of a president and other
15 officers from the board membership as board members determine.
16 The board of directors shall appoint a secretary and a
17 treasurer who shall each give bond as prescribed in section
18 291.2 and who shall each receive the salary determined by the
19 board. The secretary and treasurer shall perform duties under
20 chapter 291 and additional duties the board of directors deems
21 necessary. However, the board may appoint one person to serve
22 as the secretary and treasurer. If one person serves as the
23 secretary and treasurer, only one bond is necessary for that
24 person. The frequency of meetings other than organizational
25 meetings shall be as determined by the board of directors but
26 the president or a majority of the members may call a special
27 meeting at any time.

28 Sec. 54. Section 260C.15, subsection 5, as amended by
29 2017 Iowa Acts, chapter 155, section 4, is amended to read as
30 follows:

31 5. The votes cast in the election shall be canvassed and
32 abstracts of the votes cast shall be certified as required by
33 section 277.20. In each county whose commissioner of elections
34 is responsible under section 47.2 for conducting elections
35 held for a merged area, the county board of supervisors shall

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1 convene ~~on the last Monday in November or at the last regular~~
2 ~~board meeting in November,~~ on the second Monday or Tuesday
3 after the day of the election to canvass the abstracts of votes
4 cast and declare the results of the voting. The commissioner
5 shall at once issue certificates of election to each person
6 declared elected, and shall certify to the merged area board in
7 substantially the manner prescribed by section 50.27 the result
8 of the voting on any public question submitted to the voters
9 of the merged area. Members elected to the board of directors
10 of a merged area shall qualify by taking the oath of office
11 prescribed in section 277.28.

12 Sec. 55. Section 277.4, subsection 3, Code 2019, is amended
13 to read as follows:

14 3. The secretary of the school board shall accept the
15 petition for filing if on its face it appears to have the
16 requisite number of signatures and if it is timely filed. The
17 secretary of the school board shall note upon each petition
18 and affidavit accepted for filing the date and time that the
19 petition was filed. The secretary of the school board shall
20 deliver all nomination petitions, together with the complete
21 text of any public measure being submitted by the board to the
22 electorate, to the county commissioner of elections on the day
23 following the last day on which nomination petitions can be
24 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

25 Sec. 56. Section 279.1, subsection 1, Code 2019, is amended
26 to read as follows:

27 1. The board of directors of each school corporation shall
28 meet and organize at the first regular meeting or at a special
29 meeting called by the secretary of the board to organize the
30 board in advance of the first regular meeting after the canvass
31 for the regular school election at some suitable place to be
32 designated by the secretary. Notice of the place and hour of
33 the meeting shall be given by the secretary to each member and
34 member-elect of the board.

35 Sec. 57. Section 279.7, subsection 3, Code 2019, is amended

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1 to read as follows:

2 3. In the case of a special election as provided in this
3 section to fill a vacancy occurring among the elective officers
4 or members of a school board before the expiration of a full
5 term, the person so elected shall qualify within ten days
6 ~~thereafter~~ from the final canvass of the election by the county
7 board in the manner required by section 277.28 and shall hold
8 office for the residue of the unexpired term and until a
9 successor is elected, or appointed, and qualified.

10 Sec. 58. Section 376.5, Code 2019, is amended to read as
11 follows:

12 **376.5 Publication of ballot.**

13 Notice containing a copy of the ballot for each regular,
14 special, primary, or runoff city election must be published by
15 the county commissioner of elections as provided in section
16 362.3, except that notice of a regular, primary, or runoff
17 election may be published not less than four days before the
18 date of the election. The published ~~ballot~~ notice must contain
19 the names of all candidates, and may not contain any party
20 designations. The published ~~ballot~~ notice must contain any
21 question to be submitted to the voters.

22 Sec. 59. Section 376.7, Code 2019, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 3. If the city holding a primary
25 election is located in more than one county, the controlling
26 commissioner for that city under section 47.2, subsection
27 2, shall conduct a second canvass on the first Monday or
28 Tuesday after the day of the election. However, if a recount
29 is requested pursuant to section 50.48, the controlling
30 commissioner shall conduct the second canvass within two
31 business days after the conclusion of the recount proceeding.
32 Each commissioner conducting a canvass for the city pursuant
33 to section 50.24, subsection 1, shall transmit abstracts for
34 the offices of that city to the controlling commissioner for
35 that city, along with individual tallies for each write-in

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1 candidate. At the second canvass, the county board of
2 supervisors of the county of the controlling commissioner shall
3 canvass the abstracts received pursuant to this subsection and
4 shall prepare a combined city abstract stating the number of
5 votes cast in the city for each office. The combined city
6 abstract shall further indicate the name of each person who
7 received votes for each office on the ballot, and the number of
8 votes each person received for that office. The votes of all
9 write-in candidates who each received less than five percent
10 of the total votes cast in the city for an office shall be
11 reported collectively under the heading "scattering".

12 Sec. 60. Section 376.9, subsection 1, Code 2019, is amended
13 to read as follows:

14 1. A runoff election may be held only for positions unfilled
15 because of failure of a sufficient number of candidates to
16 receive a majority vote in the regular city election. When a
17 council has chosen a runoff election in lieu of a primary, the
18 county board of supervisors shall publicly canvass the tally
19 lists of the vote cast in the regular city election, following
20 the procedures prescribed in section 50.24, ~~at a meeting to be~~
21 ~~held on the second day following the regular city election, and~~
22 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
23 who do not receive a majority of the votes cast for an office,
24 but who receive the highest number of votes cast for that
25 office in the regular city election, to the extent of twice
26 the number of unfilled positions, are candidates in the runoff
27 election.

28 Sec. 61. 2017 Iowa Acts, chapter 155, section 45, is amended
29 to read as follows:

30 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

31 1. Notwithstanding the provisions of section 260C.11
32 designating a term of four years for members of a board of
33 directors of a merged area, the term of office for a seat on a
34 board of directors filled at the regular school election held
35 on:

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1 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
2 the board's organizational meeting held pursuant to section
3 260C.12, subsection 1.

4 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
5 the board's organizational meeting held pursuant to section
6 260C.12, subsection 1.

7 2. Notwithstanding the provisions of section 273.8,
8 subsection 1, designating a term of four years for members of
9 a board of directors of an area education agency, the term of
10 office for a seat on a board of directors filled by election
11 in:

12 a. September 2015 shall expire November 30, 2019.

- 13 b. September 2017 shall expire November 30, 2021.
14 3. Notwithstanding the provisions of section 274.7
15 designating a term of four years for members of a board of
16 directors of a school district, the term of office for a seat
17 on a board of directors filled at the regular school election
18 held on:
19 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the
20 board's organizational meeting held pursuant to section 279.1.
21 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
22 the board's organizational meeting held pursuant to section
23 279.1.

DIVISION VII

ABSENTEE BALLOT COUNTING

- 25 Sec. 62. Section 49.128, subsection 3, Code 2019, is amended
26 to read as follows:
27 3. The commissioner shall file a copy of ~~the a~~ certification
28 or report under this section with the state commissioner.
29 Sec. 63. Section 49.128, Code 2019, is amended by adding the
30 following new subsection:
31 NEW SUBSECTION. 6. The commissioner shall place on
32 file in the commissioner's office a report, and shall file
33 a copy of the report with the state commissioner, regarding
34 absentee ballot tracking and counting no later than December 1
35

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- 1 following each general election. The report shall be in a form
2 prescribed by the state commissioner.
3 Sec. 64. Section 53.17, subsection 1, paragraph b, Code
4 2019, is amended to read as follows:
5 b. The sealed return envelope may be mailed to the
6 commissioner by the registered voter or by the voter's
7 designee. If mailed by the voter's designee, the envelope
8 must be mailed within seventy-two hours of retrieving it from
9 the voter or within time to be postmarked or, if applicable,
10 to have the ~~intelligent mail postal service~~ barcode traced to
11 a date of entry into the federal mail system not later than
12 the day before the election, as provided in section 53.17A,
13 whichever is earlier.
14 Sec. 65. Section 53.17, subsection 2, Code 2019, is amended
15 to read as follows:
16 2. In order for the ballot to be counted, the return
17 envelope must be received in the commissioner's office before
18 the polls close on election day or be clearly postmarked by an
19 officially authorized postal service or bear ~~an intelligent~~
20 ~~mail a postal service~~ barcode traceable to a date of entry
21 into the federal mail system not later than the day before the
22 election, as provided in section 53.17A, and received by the
23 commissioner not later than noon on the Monday following the
24 election.
25 Sec. 66. Section 53.17, subsection 4, paragraph f, Code
26 2019, is amended to read as follows:

27 f. A statement that the completed absentee ballot will
28 be delivered to the commissioner's office within seventy-two
29 hours of retrieving it from the voter or before the closing of
30 the polls on election day, whichever is earlier, or that the
31 completed absentee ballot will be mailed to the commissioner
32 within seventy-two hours of retrieving it from the voter or
33 within time to be postmarked or, if applicable, to have the
34 ~~intelligent mail~~ postal service barcode traced to a date of
35 entry into the federal mail system not later than the day

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1 before the election, as provided in section 53.17A, whichever
2 is earlier.
3 Sec. 67. NEW SECTION. 53.17A Absentee ballot tracking.
4 1. For the purposes of this chapter:
5 a. "*Postal service barcode*" means a barcode purchased by the
6 sender and supplied by the United States postal service that is
7 used to sort and track letters and flat packages and is printed
8 on an absentee ballot return envelope at the direction of the
9 commissioner before the envelope is sent to the voter.
10 b. "*Tracking information database*" means a database
11 administered by the United States postal service that is
12 accessible to the commissioner and contains information
13 regarding letters or flat packages.
14 2.a. Prior to implementing for the first time,
15 discontinuing the usage of, or reimplementing the usage
16 of a postal service barcode and tracking information, the
17 commissioner shall send notice to the state commissioner prior
18 to October 1, 2020, for an election taking place in 2020 after
19 that date, and by October 1 of each year thereafter.
20 b. The commissioner shall not implement or discontinue
21 the use of a postal service barcode or tracking information
22 database during an election after an absentee ballot has been
23 mailed for that election pursuant to section 53.8.
24 c. The state commissioner shall adopt rules regarding
25 the statewide implementation of a postal service barcode and
26 tracking information database, including procedures to be
27 followed when usage of a postal service barcode or the tracking
28 information database is negatively impacted. Each commissioner
29 shall use a postal service barcode and tracking information
30 database consistent with rules of the state commissioner.
31 Every commissioner shall send notice to the state commissioner
32 and implement the use of a postal service barcode and tracking
33 information database prior to October 1, 2020.
34 3.a. An absentee ballot received after the polls close
35 on election day but prior to the official canvass shall be

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1 counted if the commissioner determines that the ballot entered
2 the federal mail system by the deadline specified in section

3 53.17 or 53.22. The date of entry of such an absentee ballot
4 into the federal mail system shall only be verified as provided
5 in paragraph “b”.

6 b. (1) If the postmark indicates that the absentee ballot
7 entered the federal mail system by the deadline specified
8 in section 53.17 or 53.22, the ballot shall be included for
9 canvass by the absentee and special voters precinct board.

10 (2) If the postmark is illegible, missing, or dated on or
11 after election day, the commissioner shall attempt to verify
12 the ballot's date of entry into the federal mail system by
13 querying the postal service barcode in the tracking information
14 database. If the tracking information database indicates that
15 the absentee ballot entered the federal mail system by the
16 deadline specified in section 53.17 or 53.22, the ballot shall
17 be included for canvass by the absentee and special voters
18 precinct board. The commissioner shall provide a report to
19 the absentee and special voters precinct board regarding the
20 information available in the tracking information database.

21 (3) If there is a discrepancy between the date indicated by
22 the postmark and the postal service barcode, the earlier of the
23 two shall determine the date of entry of the absentee ballot
24 into the federal mail system.

25 (4)(a) If neither the postmark nor the postal service
26 barcode indicates that the absentee ballot entered the federal
27 mail system by the deadline specified in section 53.17 or
28 53.22, the absentee ballot shall be sent to the absentee
29 and special voters precinct board pursuant to subparagraph
30 division (b) with the numeric value assigned to the postal
31 service barcode and a full report from the tracking information
32 database.

33 (b) Up to five absentee and special voters precinct board
34 members from each political party for partisan elections,
35 or any two members of the board for nonpartisan elections,

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1 shall review the postal service barcode and tracking database
2 information report of each absentee ballot submitted pursuant
3 to subparagraph division (a) and certify that the tracking
4 information database report corresponds to the absentee ballot
5 by initialing the report and the absentee ballot envelope.
6 If the board concludes that the postal service barcode and
7 tracking information database report verify that the absentee
8 ballot entered the federal mail system by the deadline
9 specified in section 53.17 or 53.22, the ballot shall be
10 counted. Otherwise, the ballot shall not be counted.

11 Sec. 68. Section 53.22, subsection 6, paragraph b, Code
12 2019, is amended to read as follows:

13 b. Absentee ballots voted under this subsection shall be
14 delivered to the commissioner no later than the time the polls
15 are closed on election day. If the ballot is returned by mail
16 the return envelope must be received by the time the polls

17 close, or be clearly postmarked by an officially authorized
 18 postal service or bear ~~an intelligent mail~~ a postal service
 19 barcode traceable to a date of entry into the federal mail
 20 system not later than the day before the election, as provided
 21 in section 53.17A, and received by the commissioner no later
 22 than the time established for the canvass by the board of
 23 supervisors for that election.>>

S-3232

HOUSE AMENDMENT TO
 SENATE FILE 93

1 Amend Senate File 93, as amended, passed, and reprinted by
 2 the Senate, as follows:
 3 1. Page 10, line 32, before <The> by inserting <1.>
 4 2. Page 10, after line 34 by inserting:
 5 <2. The provisions of sections 657A.1A through 657A.10
 6 shall not apply to a house, barn, outbuilding, or other
 7 building or structure located on agricultural land. For
 8 purposes of this subsection, “*agricultural land*” means land
 9 suitable for use in farming. For purposes of this subsection,
 10 “*farming*” means the cultivation of land for the production
 11 of agricultural crops, the production of fruit or other
 12 horticultural crops, grazing, or the production of livestock.>
 13 3. Page 11, line 1, before <As> by inserting <1.>
 14 4. Page 11, after line 7 by inserting:
 15 <2. This section shall not apply to a house, barn,
 16 outbuilding, or other building or structure located on
 17 agricultural land. For purposes of this subsection,
 18 “*agricultural land*” means land suitable for use in farming. For
 19 purposes of this subsection, “*farming*” means the cultivation of
 20 land for the production of agricultural crops, the production
 21 of fruit or other horticultural crops, grazing, or the
 22 production of livestock.>

S-3233

HOUSE AMENDMENT TO
 SENATE FILE 139

1 Amend Senate File 139, as passed by the Senate, as follows:
 2 1. Page 1, line 6, by striking <2022–2023> and inserting
 3 <2020–2021>

S-3234

HOUSE AMENDMENT TO
 SENATE FILE 597

1 Amend Senate File 597, as passed by the Senate, as follows:
 2 1. Page 1, by striking lines 16 through 31.

- 3 2. Title page, by striking lines 2 and 3 and inserting <sold
4 or furnished to nonprofit blood centers.>

S-3235

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 499

- 1 Amend the Senate amendment, H-1257, to House File 499, as
2 passed by the House, as follows:
3 1. Page 1, line 7, by striking <nine> and inserting <~~nine~~
4 ten>
5 2. Page 1, line 21, by striking <eight or fewer pupils,>
6 and inserting <~~eight~~ ten or fewer ~~pupils~~ persons, including the
7 driver.>

S-3236

- 1 Amend House File 759, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I
FY 2019-2020

- 7 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

- 8 1. There is appropriated from the general fund of the state
9 to the department of administrative services for the fiscal
10 year beginning July 1, 2019, and ending June 30, 2020, the
11 following amounts, or so much thereof as is necessary, to be
12 used for the purposes designated:

- 13 a. For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

| | | |
|----------|------|-----------|
| 16 | \$ | 3,616,936 |
| 17 | FTEs | 47.62 |

- 18 b. For the payment of utility costs, and for not more than
19 the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 20 | \$ | 3,524,611 |
| 21 | FTEs | 1.00 |

- 22 Notwithstanding section 8.33, any excess moneys appropriated
23 for utility costs in this lettered paragraph shall not revert
24 to the general fund of the state at the end of the fiscal year
25 but shall remain available for expenditure for the purposes of
26 this lettered paragraph during the succeeding fiscal year.

- 27 c. For Terrace Hill operations, and for not more than the
28 following full-time equivalent positions:

| | | |
|----------|------|---------|
| 29 | \$ | 418,200 |
| 30 | FTEs | 5.07 |

- 31 d. For establishing a listing of real property owned or
32 leased by the state as required in the annual report submitted
33 to the general assembly pursuant to section 8A.111, subsection

34 12, and for salaries, support, maintenance, and miscellaneous
35 purposes:

Page 2

1 \$ 50,000
2 2. Any moneys and premiums collected by the department
3 for workers' compensation shall be segregated into a separate
4 workers' compensation fund in the state treasury to be used
5 for payment of state employees' workers' compensation claims
6 and administrative costs. Notwithstanding section 8.33,
7 unencumbered or unobligated moneys remaining in this workers'
8 compensation fund at the end of the fiscal year shall not
9 revert but shall be available for expenditure for purposes of
10 the fund for subsequent fiscal years.
11 3. The department shall conduct a study regarding the
12 feasibility, timeline, and costs of developing and maintaining
13 a searchable database available on the department's internet
14 site containing a listing, updated annually, of real property
15 owned or leased by the state. Real property listed in the
16 searchable database shall be listed by location and searchable
17 by county, address, and any other method deemed beneficial
18 to the public. If real property listed in the searchable
19 database is leased by the state, the searchable database shall
20 also include the rental or lease costs of such real property.
21 The department shall submit its findings and recommendations
22 in a report to the general assembly and to the chairpersons
23 and ranking members of the senate and house committees on
24 appropriations by December 31, 2019.
25 Sec. 2. REVOLVING FUNDS. There is appropriated to the
26 department of administrative services for the fiscal year
27 beginning July 1, 2019, and ending June 30, 2020, from the
28 revolving funds designated in chapter 8A and from internal
29 service funds created by the department such amounts as the
30 department deems necessary for the operation of the department
31 consistent with the requirements of chapter 8A.
32 Sec. 3. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
33 CHARGE. For the fiscal year beginning July 1, 2019, and ending
34 June 30, 2020, the monthly per contract administrative charge
35 which may be assessed by the department of administrative

Page 3

1 services shall be \$2 per contract on all health insurance plans
2 administered by the department.
3 Sec. 4. AUDITOR OF STATE.
4 1. There is appropriated from the general fund of the state
5 to the office of the auditor of state for the fiscal year
6 beginning July 1, 2019, and ending June 30, 2020, the following
7 amounts, or so much thereof as is necessary, to be used for the
8 purposes designated:
9 For salaries, support, maintenance, and miscellaneous

10 purposes, and for not more than the following full-time
 11 equivalent positions:

| | | |
|----------|------|---------|
| 12 | \$ | 986,193 |
| 13 | FTEs | 103.00 |

14 2. The auditor of state may retain additional full-time
 15 equivalent positions as is reasonable and necessary to
 16 perform governmental subdivision audits which are reimbursable
 17 pursuant to section 11.20 or 11.21, to perform audits which are
 18 requested by and reimbursable from the federal government, and
 19 to perform work requested by and reimbursable from departments
 20 or agencies pursuant to section 11.5A or 11.5B. The auditor
 21 of state shall notify the department of management, the
 22 legislative fiscal committee, and the legislative services
 23 agency of the additional full-time equivalent positions
 24 retained.

25 3. The auditor of state shall allocate moneys from the
 26 appropriation in this section solely for audit work related to
 27 the comprehensive annual financial report, federally required
 28 audits, and investigations of embezzlement, theft, or other
 29 significant financial irregularities until the audit of the
 30 comprehensive annual financial report is complete.

31 Sec. 5. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
 32 is appropriated from the general fund of the state to the
 33 Iowa ethics and campaign disclosure board for the fiscal year
 34 beginning July 1, 2019, and ending June 30, 2020, the following
 35 amount, or so much thereof as is necessary, to be used for the

Page 4

1 purposes designated:

2 For salaries, support, maintenance, and miscellaneous
 3 purposes, and for not more than the following full-time
 4 equivalent positions:

| | | |
|---------|------|---------|
| 5 | \$ | 666,001 |
| 6 | FTEs | 7.00 |

7 Sec. 6. OFFICE OF THE CHIEF INFORMATION OFFICER.

8 1. There is appropriated from the general fund of the state
 9 to the office of the chief information officer for the fiscal
 10 year beginning July 1, 2019, and ending June 30, 2020, the
 11 following amount, or so much thereof as is necessary, to be
 12 used for the purposes designated:

13 For deposit in the connecting Iowa farms, schools, and
 14 communities broadband grant fund established under section
 15 8B.11 for a broadband grant program; and for salaries, support,
 16 maintenance, and miscellaneous purposes:

| | | |
|----------|----|-----------|
| 17 | \$ | 5,000,000 |
|----------|----|-----------|

18 2. There is appropriated to the office of the chief
 19 information officer for the fiscal year beginning July 1, 2019,
 20 and ending June 30, 2020, from the revolving funds designated
 21 in chapter 8B and from internal service funds created by the
 22 office such amounts as the office deems necessary for the
 23 operation of the office consistent with the requirements of

chapter 8B.

3.a. Notwithstanding section 321A.3, subsection 1, for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the first \$750,000 collected and transferred to the treasurer of state with respect to the fees for transactions involving the furnishing of a certified abstract of a vehicle operating record under section 321A.3, subsection 1, shall be transferred to the IowAccess revolving fund created in section 8B.33 for the purposes of developing, implementing, maintaining, and expanding electronic access to government records as provided by law.

b. All fees collected with respect to transactions

Page 5

involving IowAccess shall be deposited in the IowAccess revolving fund created under section 8B.33 and shall be used only for the support of IowAccess projects.

Sec. 7. DEPARTMENT OF COMMERCE.

1. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. ALCOHOLIC BEVERAGES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|--|------|-----------|
| | \$ | 1,019,556 |
| | FTEs | 17.25 |

b. PROFESSIONAL LICENSING AND REGULATION BUREAU

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|--|------|---------|
| | \$ | 370,263 |
| | FTEs | 10.00 |

2. There is appropriated from the department of commerce revolving fund created in section 546.12 to the department of commerce for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. BANKING DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|--|------|------------|
| | \$ | 11,145,778 |
| | FTEs | 80.00 |

b. CREDIT UNION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time

Page 6

1 equivalent positions:
2 \$ 2,204,256
3 FTEs 15.00
4 c. INSURANCE DIVISION
5 (1) For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:
8 \$ 5,705,889
9 FTEs 119.50
10 (2) From the full-time equivalent positions authorized in
11 this paragraph, the insurance division shall use 2.00 full-time
12 equivalent positions to hire two fraud investigators.
13 (3) Except as provided in subparagraph (2), the
14 insurance division may reallocate authorized full-time
15 equivalent positions as necessary to respond to accreditation
16 recommendations or requirements.
17 (4) The insurance division expenditures for examination
18 purposes may exceed the projected receipts, refunds, and
19 reimbursements, estimated pursuant to section 505.7, subsection
20 7, including the expenditures for retention of additional
21 personnel, if the expenditures are fully reimbursable and the
22 division first does both of the following:
23 (a) Notifies the department of management, the legislative
24 services agency, and the legislative fiscal committee of the
25 need for the expenditures.
26 (b) Files with each of the entities named in subparagraph
27 division (a) the legislative and regulatory justification for
28 the expenditures, along with an estimate of the expenditures.
29 d. UTILITIES DIVISION
30 (1) For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:
33 \$ 8,732,098
34 FTEs 70.00
35 (2) The utilities division may expend additional moneys,

Page 7

1 including moneys for additional personnel, if those additional
2 expenditures are actual expenses which exceed the moneys
3 budgeted for utility regulation and the expenditures are fully
4 reimbursable. Before the division expends or encumbers an
5 amount in excess of the moneys budgeted for regulation, the
6 division shall first do both of the following:
7 (a) Notify the department of management, the legislative
8 services agency, and the legislative fiscal committee of the
9 need for the expenditures.
10 (b) File with each of the entities named in subparagraph
11 division (a) the legislative and regulatory justification for
12 the expenditures, along with an estimate of the expenditures.

13 3. CHARGES. Each division and the office of consumer
14 advocate shall include in its charges assessed or revenues
15 generated an amount sufficient to cover the amount stated
16 in its appropriation and any state-assessed indirect costs
17 determined by the department of administrative services.
18 Sec. 8. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
19 AND REGULATION BUREAU. There is appropriated from the housing
20 trust fund created pursuant to section 16.181, to the bureau of
21 professional licensing and regulation of the banking division
22 of the department of commerce for the fiscal year beginning
23 July 1, 2019, and ending June 30, 2020, the following amounts,
24 or so much thereof as is necessary, to be used for the purposes
25 designated:
26 For salaries, support, maintenance, and miscellaneous
27 purposes:
28 \$ 62,317
29 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
30 appropriated from the general fund of the state to the offices
31 of the governor and the lieutenant governor for the fiscal year
32 beginning July 1, 2019, and ending June 30, 2020, the following
33 amounts, or so much thereof as is necessary, to be used for the
34 purposes designated:
35 1. GENERAL OFFICE

Page 8

1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:
4 \$ 2,303,954
5 FTEs 21.00
6 2. TERRACE HILL QUARTERS
7 For the governor's quarters at Terrace Hill, including
8 salaries, support, maintenance, and miscellaneous purposes, and
9 for not more than the following full-time equivalent positions:
10 \$ 140,070
11 FTEs 1.93
12 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
13 is appropriated from the general fund of the state to the
14 governor's office of drug control policy for the fiscal year
15 beginning July 1, 2019, and ending June 30, 2020, the following
16 amount, or so much thereof as is necessary, to be used for the
17 purposes designated:
18 For salaries, support, maintenance, and miscellaneous
19 purposes, including statewide coordination of the drug abuse
20 resistance education (D.A.R.E.) programs or similar programs,
21 and for not more than the following full-time equivalent
22 positions:
23 \$ 238,147
24 FTEs 4.00
25 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
26 from the general fund of the state to the department of human

27 rights for the fiscal year beginning July 1, 2019, and ending
 28 June 30, 2020, the following amounts, or so much thereof as is
 29 necessary, to be used for the purposes designated:
 30 1. CENTRAL ADMINISTRATION DIVISION
 31 For salaries, support, maintenance, and miscellaneous
 32 purposes, and for not more than the following full-time
 33 equivalent positions:
 34 \$ 210,075
 35 FTEs 5.50

Page 9

1 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
 2 For salaries, support, maintenance, and miscellaneous
 3 purposes, and for not more than the following full-time
 4 equivalent positions:
 5 \$ 956,894
 6 FTEs 6.33
 7 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There
 8 is appropriated from the general fund of the state to the
 9 department of inspections and appeals for the fiscal year
 10 beginning July 1, 2019, and ending June 30, 2020, the following
 11 amounts, or so much thereof as is necessary, to be used for the
 12 purposes designated:
 13 1. ADMINISTRATION DIVISION
 14 For salaries, support, maintenance, and miscellaneous
 15 purposes, and for not more than the following full-time
 16 equivalent positions:
 17 \$ 511,580
 18 FTEs 10.65
 19 2. ADMINISTRATIVE HEARINGS DIVISION
 20 For salaries, support, maintenance, and miscellaneous
 21 purposes, and for not more than the following full-time
 22 equivalent positions:
 23 \$ 625,827
 24 FTEs 23.00
 25 3. INVESTIGATIONS DIVISION
 26 a. For salaries, support, maintenance, and miscellaneous
 27 purposes, and for not more than the following full-time
 28 equivalent positions:
 29 \$ 2,471,791
 30 FTEs 53.00
 31 b. By December 1, 2019, the department, in coordination
 32 with the investigations division, shall submit a report to the
 33 general assembly concerning the division's activities relative
 34 to fraud in public assistance programs for the fiscal year
 35 beginning July 1, 2018, and ending June 30, 2019. The report

Page 10

1 shall include but is not limited to a summary of the number
 2 of cases investigated, case outcomes, overpayment dollars

3 identified, amount of cost avoidance, and actual dollars
4 recovered.

5 4. HEALTH FACILITIES DIVISION

6 a. For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

| | | |
|----------|------|-----------|
| 9 | \$ | 4,734,682 |
| 10 | FTEs | 112.00 |

11 b. The department shall, in coordination with the health
12 facilities division, make the following information available
13 to the public as part of the department's development efforts
14 to revise the department's internet site:

15 (1) The number of inspections conducted by the division
16 annually by type of service provider and type of inspection.

17 (2) The total annual operations budget for the division,
18 including general fund appropriations and federal contract
19 dollars received by type of service provider inspected.

20 (3) The total number of full-time equivalent positions in
21 the division, to include the number of full-time equivalent
22 positions serving in a supervisory capacity, and serving as
23 surveyors, inspectors, or monitors in the field by type of
24 service provider inspected.

25 (4) Identification of state and federal survey trends,
26 cited regulations, the scope and severity of deficiencies
27 identified, and federal and state fines assessed and collected
28 concerning nursing and assisted living facilities and programs.

29 c. It is the intent of the general assembly that the
30 department and division continuously solicit input from
31 facilities regulated by the division to assess and improve
32 the division's level of collaboration and to identify new
33 opportunities for cooperation.

34 5. EMPLOYMENT APPEAL BOARD

35 a. For salaries, support, maintenance, and miscellaneous

Page 11

1 purposes, and for not more than the following full-time
2 equivalent positions:

| | | |
|---------|------|--------|
| 3 | \$ | 38,912 |
| 4 | FTEs | 11.00 |

5 b. The employment appeal board shall be reimbursed by
6 the labor services division of the department of workforce
7 development for all costs associated with hearings conducted
8 under chapter 91C, related to contractor registration. The
9 board may expend, in addition to the amount appropriated under
10 this subsection, additional amounts as are directly billable
11 to the labor services division under this subsection and to
12 retain the additional full-time equivalent positions as needed
13 to conduct hearings required pursuant to chapter 91C.

14 6. CHILD ADVOCACY BOARD

15 a. For foster care review and the court appointed special
16 advocate program, including salaries, support, maintenance, and

17 miscellaneous purposes, and for not more than the following
 18 full-time equivalent positions:

| | | |
|----------|------|-----------|
| 19 | \$ | 2,570,605 |
| 20 | FTEs | 30.00 |

21 b. The department of human services, in coordination with
 22 the child advocacy board and the department of inspections and
 23 appeals, shall submit an application for funding available
 24 pursuant to Tit. IV-E of the federal Social Security Act for
 25 claims for child advocacy board administrative review costs.

26 c. The court appointed special advocate program shall
 27 investigate and develop opportunities for expanding
 28 fund-raising for the program.

29 d. Administrative costs charged by the department of
 30 inspections and appeals for items funded under this subsection
 31 shall not exceed 4 percent of the amount appropriated in this
 32 subsection.

33 7. FOOD AND CONSUMER SAFETY

34 For salaries, support, maintenance, and miscellaneous
 35 purposes, and for not more than the following full-time

Page 12

1 equivalent positions:

| | | |
|---------|------|---------|
| 2 | \$ | 574,819 |
| 3 | FTEs | 32.40 |

4 8. APPROPRIATION REALLOCATION. Notwithstanding section
 5 8.39, the department of inspections and appeals, in
 6 consultation with the department of management, may reallocate
 7 moneys appropriated in this section as necessary to best
 8 fulfill the needs of the department provided for in the
 9 appropriation. However, the department of inspections and
 10 appeals shall not reallocate moneys appropriated to the child
 11 advocacy board in this section.

12 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS — LICENSE OR
 13 REGISTRATION FEES.

14 1. For the fiscal year beginning July 1, 2019, and ending
 15 June 30, 2020, the department of inspections and appeals
 16 shall collect any license or registration fees or electronic
 17 transaction fees generated during the fiscal year as a result
 18 of licensing and registration activities under chapters 99B,
 19 137C, 137D, and 137F.

20 2. From the fees collected by the department under this
 21 section on behalf of a municipal corporation with which
 22 the department has an agreement pursuant to section 137F.3,
 23 through a statewide electronic licensing system operated by
 24 the department, notwithstanding section 137F.6, subsection 2,
 25 the department shall remit the amount of those fees to the
 26 municipal corporation for whom the fees were collected less
 27 any electronic transaction fees collected by the department to
 28 enable electronic payment.

29 3. From the fees collected by the department under this
 30 section, other than those fees described in subsection 2,

31 the department shall deposit the amount of \$800,000 into the
32 general fund of the state prior to June 30, 2020.
33 4. From the fees collected by the department under this
34 section, other than those fees described in subsections 2 and
35 3, the department shall retain the remainder of the fees for

Page 13

1 the purposes of enforcing the provisions of chapters 99B, 137C,
2 137D, and 137F. Notwithstanding section 8.33, moneys retained
3 by the department pursuant to this subsection that remain
4 unencumbered or unobligated at the end of the fiscal year
5 shall not revert but shall remain available for expenditure
6 for the purposes of enforcing the provisions of chapters 99B,
7 137C, 137D, and 137F during the succeeding fiscal year. The
8 department shall provide an annual report to the department of
9 management and the legislative services agency on fees billed
10 and collected and expenditures from the moneys retained by
11 the department in a format as determined by the department
12 of management in consultation with the legislative services
13 agency.

14 Sec. 14. RACING AND GAMING COMMISSION — RACING AND GAMING
15 REGULATION. There is appropriated from the gaming regulatory
16 revolving fund established in section 99F.20 to the racing and
17 gaming commission of the department of inspections and appeals
18 for the fiscal year beginning July 1, 2019, and ending June 30,
19 2020, the following amount, or so much thereof as is necessary,
20 to be used for the purposes designated:

21 1. For salaries, support, maintenance, and miscellaneous
22 purposes for regulation, administration, and enforcement of
23 pari-mutuel racetracks, excursion boat gambling, and gambling
24 structure laws, and website construction and maintenance for
25 conducting regulation as required by 2018 Iowa Acts, chapter
26 1099, and for not more than the following full-time equivalent
27 positions:

| | | |
|----------|------|-----------|
| 28 | \$ | 6,492,010 |
| 29 | FTEs | 50.70 |

30 2. In addition to the moneys appropriated and full-time
31 equivalent positions authorized in subsection 1, and contingent
32 on the enactment of 2019 Iowa Acts, Senate File 617, the
33 racing and gaming commission of the department of inspections
34 and appeals is appropriated an additional \$275,000 and is
35 authorized an additional 3.00 full-time equivalent positions to

Page 14

1 assist in implementing the provisions of 2019 Iowa Acts, Senate
2 File 617, if enacted.

3 Sec. 15. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
4 INSPECTIONS AND APPEALS. There is appropriated from the road
5 use tax fund created in section 312.1 to the administrative
6 hearings division of the department of inspections and appeals

7 for the fiscal year beginning July 1, 2019, and ending June 30,
8 2020, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes:

12 \$ 1,623,897

13 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
14 from the general fund of the state to the department of
15 management for the fiscal year beginning July 1, 2019, and
16 ending June 30, 2020, the following amounts, or so much thereof
17 as is necessary, to be used for the purposes designated:

18 1. For enterprise resource planning, providing for a salary
19 model administrator, conducting performance audits, and the
20 department's LEAN process; for salaries, support, maintenance,
21 and miscellaneous purposes; and for not more than the following
22 full-time equivalent positions:

23 \$ 2,652,389

24 FTEs 21.00

25 2.a. For distribution of moneys to other governmental
26 entities for the payment of rate adjustments established by
27 the office of the chief information officer; and for salaries,
28 support, maintenance, and miscellaneous purposes:

29 \$ 1,300,751

30 b. Moneys appropriated in this subsection shall be
31 separately accounted for in a distribution account and shall
32 be distributed to other governmental entities to pay for rate
33 adjustments established by the office of the chief information
34 officer related to the overpayment of federal funds for
35 information technology services. The department of management

Page 15

1 may reduce the amount of moneys to be distributed to another
2 governmental entity for the payment of rate adjustments under
3 this subsection if the amount to be distributed is less than
4 the amount currently paid by the governmental entity for such
5 rates. In addition to moneys appropriated in this subsection,
6 rate adjustments may also be funded using unencumbered and
7 unobligated moneys remaining in the department of commerce
8 revolving fund created in section 546.12, the primary road
9 fund created in section 313.3, the road use tax fund created
10 in section 312.1, the fish and game protection fund created in
11 section 456A.17, the Iowa public employees' retirement fund
12 created in section 97B.7, or any other departmental revolving,
13 trust, or special fund for which the general assembly has not
14 made an operating budget appropriation, as determined by the
15 department of management. The department of management shall
16 transmit financial statements to the legislative services
17 agency regarding distributions of moneys provided to other
18 governmental entities for the payment of rate adjustments
19 pursuant to this subsection. The statements shall indicate
20 the amount of the distributions and the dates on which the

distributions are provided.

Sec. 17. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF MANAGEMENT. There is appropriated from the road use tax fund created in section 312.1 to the department of management for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

| | | |
|--|----|--------|
| | \$ | 56,000 |
|--|----|--------|

Sec. 18. IOWA PUBLIC INFORMATION BOARD. There is appropriated from the general fund of the state to the Iowa public information board for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes

Page 16

designated:

For salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

| | | |
|--|------|---------|
| | \$ | 339,343 |
| | FTEs | 3.00 |

Sec. 19. DEPARTMENT OF REVENUE.

1. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

| | | |
|--|------|------------|
| | \$ | 15,474,482 |
| | FTEs | 160.34 |

b. For technology upgrades to the department's primary processing systems, and for salaries, support, maintenance, and miscellaneous purposes:

| | | |
|--|----|-----------|
| | \$ | 1,070,460 |
|--|----|-----------|

2. From the moneys appropriated in subsection 1, paragraph "a", the department shall use \$400,000 to pay the direct costs of compliance related to the collection and distribution of local sales and services taxes imposed pursuant to chapters 423B and 423E.

3. The director of revenue shall prepare and issue a state appraisal manual and the revisions to the state appraisal manual as provided in section 421.17, subsection 17, without cost to a city or county.

Sec. 20. MOTOR VEHICLE FUEL TAX FUND APPROPRIATION. There is appropriated from the motor vehicle fuel tax fund created pursuant to section 452A.77 to the department of revenue for the fiscal year beginning July 1, 2019, and ending June 30,

35 2020, the following amount, or so much thereof as is necessary,

Page 17

1 to be used for the purposes designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for administration and enforcement of the
4 provisions of chapter 452A and the motor vehicle fuel tax
5 program:

6 \$ 1,305,775

7 Sec. 21. SECRETARY OF STATE. There is appropriated from
8 the general fund of the state to the office of the secretary of
9 state for the fiscal year beginning July 1, 2019, and ending
10 June 30, 2020, the following amounts, or so much thereof as is
11 necessary, to be used for the purposes designated:

12 1. ADMINISTRATION AND ELECTIONS

13 a. For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16 \$ 2,109,755

17 FTEs 16.00

18 b. The state department or agency that provides data
19 processing services to support voter registration file
20 maintenance and storage shall provide those services without
21 charge.

22 2. BUSINESS SERVICES

23 For salaries, support, maintenance, and miscellaneous
24 purposes, and for not more than the following full-time
25 equivalent positions:

26 \$ 1,405,530

27 FTEs 16.00

28 Sec. 22. ADDRESS CONFIDENTIALITY PROGRAM REVOLVING FUND

29 APPROPRIATION — SECRETARY OF STATE. There is appropriated
30 from the address confidentiality program revolving fund created
31 in section 9.8 to the office of the secretary of state for the
32 fiscal year beginning July 1, 2019, and ending June 30, 2020,
33 the following amount, or so much thereof as is necessary, to be
34 used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

Page 18

1 purposes:

2 \$ 195,400

3 Sec. 23. SECRETARY OF STATE FILING FEES

4 REFUND. Notwithstanding the obligation to collect fees
5 pursuant to the provisions of section 489.117, subsection
6 1, paragraphs “a” and “o”, section 490.122, subsection 1,
7 paragraphs “a” and “s”, and section 504.113, subsection 1,
8 paragraphs “a”, “c”, “d”, “j”, “k”, “l”, and “m”, for the
9 fiscal year beginning July 1, 2019, the secretary of state may
10 refund these fees to the filer pursuant to rules established by

11 the secretary of state. The decision of the secretary of state
12 not to issue a refund under rules established by the secretary
13 of state is final and not subject to review pursuant to chapter
14 17A.

15 Sec. 24. TREASURER OF STATE.

16 1. There is appropriated from the general fund of the
17 state to the office of treasurer of state for the fiscal year
18 beginning July 1, 2019, and ending June 30, 2020, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

| | | |
|----------|------|-----------|
| 24 | \$ | 1,017,442 |
| 25 | FTEs | 28.80 |

26 2. The office of treasurer of state shall supply
27 administrative support for the executive council.

28 Sec. 25. ROAD USE TAX FUND APPROPRIATION — OFFICE OF

29 TREASURER OF STATE. There is appropriated from the road use
30 tax fund created in section 312.1 to the office of treasurer of
31 state for the fiscal year beginning July 1, 2019, and ending
32 June 30, 2020, the following amount, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 For enterprise resource management costs related to the
35 distribution of road use tax funds:

Page 19

| | | |
|---------|----|--------|
| 1 | \$ | 93,148 |
|---------|----|--------|

2 Sec. 26. IPERS — GENERAL OFFICE. There is appropriated
3 from the Iowa public employees' retirement fund created in
4 section 97B.7 to the Iowa public employees' retirement system
5 for the fiscal year beginning July 1, 2019, and ending June 30,
6 2020, the following amount, or so much thereof as is necessary,
7 to be used for the purposes designated:

8 For salaries, support, maintenance, and other operational
9 purposes to pay the costs of the Iowa public employees'
10 retirement system, and for not more than the following
11 full-time equivalent positions:

| | | |
|----------|------|------------|
| 12 | \$ | 17,988,567 |
| 13 | FTEs | 88.13 |

14 Sec. 27. IOWA PRODUCTS. As a condition of receiving an
15 appropriation, any agency appropriated moneys pursuant to this
16 Act shall give first preference when purchasing a product to an
17 Iowa product or a product produced by an Iowa-based business.
18 Second preference shall be given to a United States product or
19 a product produced by a business based in the United States.

20 DIVISION II

21 STANDING APPROPRIATIONS — LIMITATIONS

22 Sec. 28. LIMITATION OF STANDING APPROPRIATION — FY
23 2019–2020. Notwithstanding the standing appropriation in the
24 following designated section for the fiscal year beginning July

25 1, 2019, and ending June 30, 2020, the amount appropriated from
 26 the general fund of the state pursuant to this section for the
 27 following designated purpose shall not exceed the following
 28 amount:

29 For the enforcement of chapter 453D relating to tobacco
 30 product manufacturers under section 453D.8:
 31 \$ 17,525

32 DIVISION III

33 SUPPLEMENTAL APPROPRIATIONS

34 Sec. 29. 2017 Iowa Acts, chapter 171, section 28, subsection
 35 1, paragraph b, as amended by 2018 Iowa Acts, chapter 1164,

Page 20

1 section 1, is amended to read as follows:

2 b. For the payment of utility costs, and for not more than
 3 the following full-time equivalent positions:

4 \$ 2,899,231
 5 3,356,210
 6 FTEs 1.00

7 Notwithstanding section 8.33, any excess moneys appropriated
 8 for utility costs in this lettered paragraph shall not revert
 9 to the general fund of the state at the end of the fiscal year
 10 but shall remain available for expenditure for the purposes of
 11 this lettered paragraph during the succeeding fiscal year.

12 Sec. 30. EFFECTIVE DATE. This division of this Act, being
 13 deemed of immediate importance, takes effect upon enactment.

14 DIVISION IV

15 IOWA CODE CHANGES

16 Sec. 31. Section 8A.111, Code 2019, is amended by adding the
 17 following new subsection:

18 NEW SUBSECTION. 12. By December 31, 2019, and by the same
 19 date each year thereafter, an annual report submitted to the
 20 general assembly and to the chairpersons and ranking members of
 21 the senate and house committees on appropriations containing
 22 a listing of real property owned or leased by the state. The
 23 report shall be grouped by county and shall include identifying
 24 information for each real property listed, including but not
 25 limited to the physical address. If real property is leased by
 26 the state, the report shall also include the rental or lease
 27 costs of such real property.

28 Sec. 32. Section 8B.9, Code 2019, is amended by adding the
 29 following new subsection:

30 NEW SUBSECTION. 6. Beginning October 1, 2019, a quarterly
 31 report regarding the status of technology upgrades or
 32 enhancements for state agencies, submitted to the general
 33 assembly and to the chairpersons and ranking members of
 34 the senate and house committees on appropriations. The
 35 quarterly report shall also include a listing of state agencies

Page 21

1 coordinating or working with the office and a listing of state
2 agencies not coordinating or working with the office.
3 Sec. 33. Section 137C.9, subsection 1, paragraph c, Code
4 2019, is amended to read as follows:
5 c. For a hotel containing ~~more than~~ one hundred one guest
6 rooms or more, one hundred fifty dollars.>

DENNIS GUTH

S-3237

1 Amend Senate File 638 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. LIMITATIONS OF STANDING APPROPRIATIONS — FY
7 2019–2020. Notwithstanding the standing appropriation in the
8 following designated section for the fiscal year beginning July
9 1, 2019, and ending June 30, 2020, the amount appropriated from
10 the general fund of the state pursuant to that section for the
11 following designated purpose shall not exceed the following
12 amount:
13 For payment of claims for nonpublic school transportation
14 under section 285.2:
15 \$ 8,197,091
16 If total approved claims for reimbursement for nonpublic
17 school pupil transportation exceed the amount appropriated in
18 accordance with this section, the department of education shall
19 prorate the amount of each approved claim.
20 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2019–2020. In
21 lieu of the appropriation provided in section 257.20,
22 subsection 2, the appropriation for the fiscal year
23 beginning July 1, 2019, and ending June 30, 2020, for paying
24 instructional support state aid under section 257.20 for such
25 fiscal year is zero.
26 Sec. 3. Section 257.35, Code 2019, is amended by adding the
27 following new subsection:
28 NEW SUBSECTION. 13A. Notwithstanding subsection 1, and in
29 addition to the reduction applicable pursuant to subsection
30 2, the state aid for area education agencies and the portion
31 of the combined district cost calculated for these agencies
32 for the fiscal year beginning July 1, 2019, and ending June
33 30, 2020, shall be reduced by the department of management by
34 fifteen million dollars. The reduction for each area education
35 agency shall be prorated based on the reduction that the agency

Page 2

1 received in the fiscal year beginning July 1, 2003.

2 Sec. 4. SPECIAL FUNDS — SALARY ADJUSTMENTS —
3 UNAPPROPRIATED MONEYS — FY 2019–2020 — FY 2020–2021. For the
4 fiscal year beginning July 1, 2019, and ending June 30, 2020,
5 and for the fiscal year beginning July 1, 2020, and ending June
6 30, 2021, salary adjustments otherwise provided may be funded
7 as determined by the department of management, subject to any
8 applicable constitutional limitation, using unappropriated
9 moneys remaining in the department of commerce revolving
10 fund, the gaming enforcement revolving fund, the gaming
11 regulatory revolving fund, the primary road fund, the road
12 use tax fund, the fish and game protection fund, and the Iowa
13 public employees' retirement fund, and in other departmental
14 revolving, trust, or special funds for which the general
15 assembly has not made an operating budget appropriation.

16 DIVISION II

17 MISCELLANEOUS APPROPRIATIONS

18 Sec. 5. DEPARTMENT OF PUBLIC SAFETY.

19 1. There is appropriated from the general fund of the
20 state to the department of public safety for the fiscal year
21 beginning July 1, 2019, and ending June 30, 2020, the following
22 amount, or so much thereof as is necessary, to be used for the
23 purposes designated:

24 For costs associated with the training and equipment needs
25 of volunteer fire fighters:

26 \$ 50,000

27 2. Notwithstanding section 8.33, moneys appropriated in
28 this section that remain unencumbered or unobligated at the
29 close of the fiscal year shall not revert but shall remain
30 available for expenditure only for the purpose designated in
31 this section until the close of the succeeding fiscal year.

32 3. Notwithstanding section 8.39, the department of public
33 safety may reallocate moneys appropriated in this section
34 and moneys appropriated in 2019 Iowa Acts, Senate File 615,
35 section 15, if enacted, as necessary to best fulfill the needs

Page 3

1 provided for in the appropriation. However, the department
2 shall not reallocate moneys appropriated to the department
3 in this section and moneys appropriated in 2019 Iowa Acts,
4 Senate File 615, section 15, if enacted, unless notice of the
5 reallocation is given to the legislative services agency and
6 the department of management prior to the effective date of the
7 reallocation. The notice shall include information regarding
8 the rationale for reallocating the moneys. The department
9 shall not reallocate moneys appropriated in this section and
10 moneys appropriated in 2019 Iowa Acts, Senate File 615, section
11 15, if enacted, for the purpose of eliminating any program.

12 DIVISION III

13 MISCELLANEOUS PROVISIONS

14 Sec. 6. Section 2C.18, Code 2019, is amended to read as
15 follows:

16 **2C.18 Report to general assembly.**

17 The ombudsman shall by ~~April 1~~ December 31 of each year
18 submit an economically designed and reproduced report to the
19 general assembly and to the governor concerning the exercise of
20 the ombudsman's functions during the preceding ~~calendar~~ fiscal
21 year. In discussing matters with which the ombudsman has been
22 concerned, the ombudsman shall not identify specific persons
23 if to do so would cause needless hardship. If the annual
24 report criticizes a named agency or official, it shall also
25 include unedited replies made by the agency or official to the
26 criticism, unless excused by the agency or official affected.

27 Sec. 7. Section 558.69, Code 2019, is amended by adding the
28 following new subsection:

29 **NEW SUBSECTION.** 9. Notwithstanding section 331.604 or any
30 other provision of law to the contrary, the county recorder
31 shall not charge or collect a fee for the submission or filing
32 of a groundwater hazard statement.

33 DIVISION IV

34 CORRECTIVE PROVISIONS

35 Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts,

Page 4

1 Senate File 570, section 1, is amended to read as follows:

2 **29C.20C Immunity — licensed architects and professional**
3 **engineers.**

4 An architect licensed pursuant to chapter 544A or a
5 professional engineer licensed pursuant to chapter 542B who,
6 during a disaster emergency as proclaimed by the governor or
7 a major disaster as declared by the president of the United
8 States, in good faith and at the request of or with the
9 approval of a national, state, or local public official, law
10 enforcement official, public safety official, or building
11 inspection official believed by the licensed architect or
12 professional engineer to be acting in an official capacity,
13 voluntarily and without compensation provides architectural,
14 engineering, structural, electrical, mechanical, or other
15 design professional services related to the disaster emergency
16 or major disaster shall not be liable for civil damages for any
17 acts or omissions resulting from the services provided, unless
18 such acts or omissions constitute recklessness or willful
19 and wanton misconduct. A licensed architect or professional
20 engineer who receives expense reimbursement for the performance
21 of services described in this section shall not be considered
22 to have received compensation for such services.

23 Sec. 9. Section 216A.133, subsection 3, paragraph 1, if
24 enacted by 2019 Iowa Acts, House File 634, section 5, is
25 amended to read as follows:

26 1. Recommending to the ~~board~~ department the adoption of
27 rules pursuant to chapter 17A as it deems necessary for the
28 board and division.

29 Sec. 10. Section 225C.51, subsection 1, paragraph a, if

30 enacted by 2019 Iowa Acts, House File 690, section 8, is
31 amended to read as follows:
32 a. The director of the department of human services or the
33 director's designee.
34 Sec. 11. Section 225C.51, subsection 3, if enacted by 2019
35 Iowa Acts, House File 690, section 8, is amended to read as

Page 5

1 follows:
2 3. The director of the department of human services and the
3 director of the department of education, or their designees,
4 shall serve as co-chairpersons of the state board. Board
5 members shall not be entitled to a per diem as specified in
6 section 7E.6 and shall not be entitled to actual and necessary
7 expenses incurred while engaged in their official duties.
8 Sec. 12. Section 261H.3, subsections 1 and 2, as enacted by
9 2019 Iowa Acts, Senate File 274, section 3, are amended to read
10 as follows:
11 1. Noncommercial expressive activities protected under the
12 provisions of this chapter include but are not limited to any
13 lawful oral or written means by which members of the campus
14 community may communicate ideas to one another, including
15 but not limited to all forms of peaceful assembly, protests,
16 speeches including by invited speakers, distribution of
17 literature, circulating petitions, and publishing, including
18 publishing or streaming on an internet site, or audio or video
19 recorded in outdoor areas of campus.
20 2. A member of the campus community who wishes to engage in
21 noncommercial expressive activity in outdoor areas of campus
22 shall be permitted to do so freely, subject to reasonable
23 time, place, and manner restrictions, and as long as the
24 member's conduct is not unlawful, does not impede others'
25 access to a facility or use of walkways, and does not disrupt
26 the functioning of the public institution of higher education,
27 subject to the protections of subsection 1. The public
28 institution of higher education may designate other areas of
29 campus available for use by the campus community according to
30 institutional policy, but in all cases access to designated
31 areas of campus must be granted on a viewpoint-neutral basis
32 within the bounds of established principles of the first
33 amendment principles to the Constitution of the United States.
34 Sec. 13. Section 322C.2, subsection 20, if enacted by 2019
35 Iowa Acts, Senate File 435, section 2, is amended to read as

Page 6

1 follows:
2 20. "*Towable recreational vehicle dealer*" or "*dealer*" means
3 a person required to be licensed under this chapter who is
4 authorized to sell and service towable recreational vehicles.
5 Sec. 14. Section 322C.15, subsection 2, paragraph b, if

6 enacted by 2019 Iowa Acts, Senate File 435, section 12, is
7 amended to read as follows:

8 **b.** The manufacturer's or distributor's business operations
9 have been abandoned or caused the dealer's business operations
10 to close for ten consecutive business days. This ~~subparagraph~~
11 ~~paragraph~~ does not apply if the closing is due to a normal
12 seasonal closing and the manufacturer or distributor notifies
13 the dealer of the planned closing, an act of God, a strike,
14 a labor difficulty, or any other cause over which the
15 manufacturer or distributor has no control.

16 Sec. 15. Section 456A.33C, subsection 1, unnumbered
17 paragraph 1, if enacted by 2019 Iowa Acts, House File 765,
18 section 18, is amended to read as follows:

19 For purposes of this section, unless the context otherwise
20 requires, "*eligible water body*" means a body of water that ~~meet~~
21 meets all of the following criteria:

22 Sec. 16. Section 513D.2, subsection 2, Code 2019, as amended
23 by 2019 Iowa Acts, House File 679, section 184, if enacted, is
24 amended to read as follows:

25 2. The commissioner ~~or of~~ insurance may take any enforcement
26 action under the commissioner's authority to enforce compliance
27 with this chapter.

28 Sec. 17. Section 515I.4A, subsection 1, paragraph c, as
29 enacted by 2019 Iowa Acts, Senate File 558, section 4, is
30 amended to read as follows:

31 **c.** The board of directors of the insurer has passed a
32 resolution seeking approval as a domestic surplus lines insurer
33 in this state and stating that the insurer shall only write
34 surplus ~~line~~ lines business. The resolution shall not be
35 amended without approval of the commissioner.

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1 Sec. 18. Section 522E.13, subsection 6, Code 2019, as
2 amended by 2019 Iowa Acts, Senate File 559, section 6, is
3 amended to read as follows:

4 6. Whenever notice or correspondence with respect to a
5 policy of portable electronics insurance is required pursuant
6 to this section, it shall be in writing and sent within the
7 notice period required pursuant to this section. Notices
8 and correspondence shall be sent to the licensed portable
9 electronics vendor that is the policyholder at the portable
10 electronics vendor's mailing or electronic mail address
11 specified for that purpose and to its affected enrolled
12 consumers' last known mailing or electronic mail addresses on
13 file with the insurer or the portable electronics vendor. All
14 notices and documents that are delivered by electronic means
15 shall comply with section 505B.1, except for the provisions
16 in section 505B.1, subsection 4. The insurer or portable
17 electronics vendor shall maintain proof that the notice or
18 correspondence was sent for not less than three years after
19 that notice or correspondence was sent.

20 Sec. 19. Section 633.648, Code 2019, as amended by 2019
21 Iowa Acts, House File 610, section 34, if enacted, is amended
22 to read as follows:

23 **633.648 Appointment of attorney in compromise of personal**
24 **injury settlements.**

25 Notwithstanding the provisions of section 633.642 prior to
26 authorizing a compromise of a claim for damages on account
27 of personal injuries to the ~~ward~~ protected person, the court
28 may order an independent investigation by an attorney other
29 than by the attorney for the conservator. The cost of such
30 investigation, including a reasonable attorney fee, shall be
31 taxed as part of the cost of the conservatorship.

32 Sec. 20. Section 692C.1, subsection 1, paragraph a, if
33 enacted by 2019 Iowa Acts, House File 681, section 1, is
34 amended to read as follows:

35 a. *“Covered individual”* means an individual who has, seeks

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1 to have, or may have access to children, the elderly, or
2 individuals with disabilities served by a qualified entity and
3 who is employed by, volunteers with, or seeks to volunteer with
4 a qualified entity; or owns or operates or seeks to own or
5 operate, a qualified entity.

6 Sec. 21. 2019 Iowa Acts, Senate File 333, section 104,
7 subsection 6, is amended to read as follows:

8 6. Sections 15E.206, subsection 3, paragraph “a”;
9 15E.207, subsection 2, paragraph “b”, subparagraph (2),
10 subparagraph division (c); 15E.208, subsection 5, paragraph
11 “g”, subparagraphs (1) and (2); 15E.208, subsection 6,
12 paragraph “d”, subparagraph (1), subparagraph division
13 (a); 135.61, unnumbered paragraph 1; 135.61, subsection
14 1, paragraph “d”; 135.61, subsection 4; 135.62, subsection
15 1; 135.62, subsection 2, paragraph “f”, subparagraphs (2),
16 (4), and (5); 135.63, subsection 1; 135.63, subsection 2,
17 unnumbered paragraph 1; 135.63, subsection 2, paragraph “f”;
18 135.63, subsection 2, paragraph “g”, subparagraph (1); 135.63,
19 subsection 2, paragraph “h”, subparagraph (1), unnumbered
20 paragraph 1; 135.63, subsection 2, paragraph “j”; 135.63,
21 subsection 2, paragraph “k”, subparagraph (1), unnumbered
22 paragraph 1; 135.63, subsection 2, paragraph “l”, unnumbered
23 paragraph 1; 135.63, subsection 2, paragraphs “m” and “n”;
24 135.63, subsection 2, paragraph “p”, unnumbered paragraph 1;
25 135.63, subsection 3; 135.64, subsection 3; 135.72, unnumbered
26 paragraph 1; 135.73, subsection 1; 135.73, subsection
27 2, unnumbered paragraph 1; 135.73, subsection 3; 135.74,
28 subsections 1 and 3; 135.75, subsection 2; 135.76, subsection
29 1; 135.100, unnumbered paragraph 1; 135.105A, subsection 5;
30 135.108, unnumbered paragraph 1; 135.140, unnumbered paragraph
31 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph “c”,
32 subparagraph (1); 490.140, subsection 29; 490.640, subsection
33 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,

34 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,
 35 subsection 1, paragraph “h”; 490.1107, subsection 2; 490.1107,

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1 subsection 4, paragraph “b”; 490.1108, subsection 1; 490.1114,
 2 subsection 1; 490.1114, subsection 2, paragraph “g”; 490.1202,
 3 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,
 4 subsection 1; 490.1320, subsection 3, paragraphs “a” and “b”;
 5 490.1322, subsection 2, paragraph “c”; 490.1323, subsection
 6 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph
 7 “a”, subparagraph (1); 490.1403, subsection 3; 490.1405,
 8 subsection 2, paragraph “c”; 499.69A, subsection 6; 524.1309,
 9 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;
 10 and 524.1805, subsection 6, Code 2019, are amended by striking
 11 the word “division” and inserting in lieu thereof the word
 12 “subchapter”.

13 Sec. 22. EFFECTIVE DATE. The following, being deemed of
 14 immediate importance, take effect upon enactment:

15 1. The section of this division of this Act amending section
 16 29C.20.

17 2. The section of this division of this Act amending section
 18 261H.3, subsections 1 and 2.

19 Sec. 23. EFFECTIVE DATE. The following takes effect January
 20 1, 2020:

21 The section of this division of this Act amending section
 22 633.648.

23 Sec. 24. RETROACTIVE APPLICABILITY. The following applies
 24 retroactively to the effective date of 2019 Iowa Acts, Senate
 25 File 570, if enacted:

26 The section of this division of this Act amending section
 27 29C.20.

28 Sec. 25. RETROACTIVE APPLICABILITY. The following applies
 29 retroactively to March 27, 2019:

30 The section of this division of this Act amending section
 31 261H.3, subsections 1 and 2.

32 Sec. 26. APPLICABILITY. The following applies to
 33 guardianships and guardianship proceedings for adults and
 34 conservatorships and conservatorship proceedings for adults and
 35 minors established or pending before, on, or after January 1,

Page 10

1 2020:

2 The section of this division of this Act amending section
 3 633.648.

4 DIVISION V 5 FLOOD RECOVERY

6 Sec. 27. NEW SECTION. **418.16 Flood recovery fund.**

7 1. A flood recovery fund is established in the state
 8 treasury under the control of the board. The fund shall
 9 consist of moneys appropriated to the fund by the general

10 assembly and any other moneys available to, obtained by, or
11 accepted by the board for deposit in the fund. Moneys in the
12 fund are appropriated to the department and shall be used for
13 the purposes designated in this section. Moneys in the fund
14 shall not supplant any federal disaster recovery moneys.

15 2. The board may award moneys from the fund to eligible
16 political subdivisions of the state. A political subdivision
17 of the state is eligible to receive moneys from the fund if
18 the political subdivision is located in a county designated
19 under presidential disaster declaration DR-4421-IA and is also
20 located in a county where the federal emergency management
21 agency's individual assistance program has been activated.

22 3. In order to be awarded moneys from the fund, a political
23 subdivision of the state shall submit a project application
24 to the department for consideration by the board. The board
25 shall prescribe application forms and application instructions.
26 Project applications shall include all of the following:

27 a. A description of the project and the manner in which
28 the project supports flood response, flood recovery, or flood
29 mitigation activities.

30 b. A description of the financial assistance needed from the
31 fund.

32 c. Details on any additional moneys to be applied to the
33 project.

34 4. a. The board shall review all project applications.

35 During the review of a project application, the board shall

Page 11

1 consider, at a minimum, all of the following:

2 (1) Whether the project supports flood response, flood
3 recovery, or flood mitigation activities.

4 (2) Whether moneys from the fund are essential to meet
5 the necessary expenses or serious needs of the political
6 subdivision related to flood response, flood recovery, or flood
7 mitigation.

8 b. Upon review of a project application, the board shall
9 approve, defer, or deny the application. If a project
10 application is approved, the board shall specify the amount of
11 moneys from the fund awarded to the political subdivision. The
12 board shall negotiate and execute on behalf of the department
13 all necessary agreements to provide the moneys. If a project
14 application is deferred or denied, the board shall state the
15 reasons for such deferral or denial.

16 5. Notwithstanding section 8.33, moneys in the fund
17 that remain unencumbered or unobligated at the close of a
18 fiscal year shall not revert but shall remain available for
19 expenditure for the purposes designated in this section.
20 Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the fund shall be credited to
22 the fund.

23 Sec. 28. FLOOD RECOVERY APPROPRIATION. There is

24 appropriated from the general fund of the state to the
25 department of homeland security and emergency management, for
26 the fiscal year beginning July 1, 2018, and ending June 30,
27 2019, the following amount, or so much thereof as is necessary,
28 to be credited to the flood recovery fund created in section
29 418.16, as enacted by this Act, and used for the purposes
30 designated in section 418.16, as enacted by this Act:

31 \$ 15,000,000

32 Sec. 29. EMERGENCY RULES. The department of homeland
33 security and emergency management may adopt emergency
34 rules under section 17A.4, subsection 3, and section 17A.5,
35 subsection 2, paragraph “b”, to implement the provisions of

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1 this division of this Act and the rules shall be effective
2 immediately upon filing unless a later date is specified in the
3 rules. Any rules adopted in accordance with this section shall
4 also be published as a notice of intended action as provided
5 in section 17A.4.

6 Sec. 30. EFFECTIVE DATE. This division of this Act, being
7 deemed of immediate importance, takes effect upon enactment.

8 DIVISION VI
9 STATE BUDGET PROCESS

10 Sec. 31. Section 8.6, Code 2019, is amended by adding the
11 following new subsection:

12 **NEW SUBSECTION.** 16. *Salary model administrator.* To
13 designate a position within the department to serve as the
14 salary model administrator.

15 a. The salary model administrator shall work in conjunction
16 with the legislative services agency to maintain the state’s
17 salary model used for analyzing, comparing, and projecting
18 state employee salary and benefit information, including
19 information relating to employees of the state board of
20 regents.

21 b. The department of revenue, the department of
22 administrative services, the institutions governed by the state
23 board of regents pursuant to section 262.7, each judicial
24 district’s department of correctional services, and the state
25 department of transportation shall provide salary data to the
26 department of management and the legislative services agency
27 to operate the state’s salary model. The format and frequency
28 of provision of the salary data shall be determined by the
29 department of management and the legislative services agency.

30 c. The information shall be used in collective bargaining
31 processes under chapter 20 and in calculating the funding needs
32 contained within any annual salary adjustment legislation.
33 A state employee organization as defined in section 20.3,
34 subsection 4, may request information produced by the model,
35 but the information provided shall not contain information

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1 attributable to individual employees.

2 Sec. 32. Section 8.23, subsection 1, unnumbered paragraph
3 1, Code 2019, is amended to read as follows:

4 On or before October 1, prior to each legislative session,
5 all departments and establishments of the government shall
6 transmit to the director, on blanks to be furnished by the
7 director, estimates of their expenditure requirements,
8 including every proposed expenditure, for the ensuing fiscal
9 year, ~~classified so as to distinguish between expenditures~~
10 ~~estimated for administration, operation, and maintenance, and~~
11 ~~the cost of each project involving the purchase of land or the~~
12 ~~making of a public improvement or capital outlay of a permanent~~
13 ~~character,~~ together with supporting data and explanations
14 as called for by the director after consultation with the
15 legislative services agency.

16 Sec. 33. Section 8.23, subsection 1, paragraph a, Code 2019,
17 is amended to read as follows:

18 a. The estimates of expenditure requirements shall be
19 ~~based upon seventy-five percent of the funding provided for~~
20 ~~the current fiscal year accounted for by program reduced by~~
21 ~~the historical employee vacancy factor in a form specified by~~
22 ~~the director, and the remainder of the estimate of expenditure~~
23 ~~requirements shall include all proposed expenditures and shall~~
24 ~~be prioritized by program or the results to be achieved.~~ The
25 estimates shall be accompanied ~~with~~ by performance measures
26 for evaluating the effectiveness of the ~~program~~ programs or
27 results.

28 Sec. 34. Section 602.1301, subsection 2, paragraph a,
29 unnumbered paragraph 1, Code 2019, is amended to read as
30 follows:

31 As early as possible, but not later than December 1, the
32 supreme court shall submit to the legislative services agency
33 the annual budget request and detailed supporting information
34 for the judicial branch. The submission shall be designed
35 to assist the legislative services agency in its preparation

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1 for legislative consideration of the budget request. The
2 information submitted shall contain and be arranged in a format
3 substantially similar to the format specified by the director
4 of the department of management and used by all departments
5 and establishments in transmitting to the director estimates
6 of their expenditure requirements pursuant to section 8.23;
7 ~~except the estimates of expenditure requirements shall be based~~
8 ~~upon one hundred percent of funding for the current fiscal~~
9 ~~year accounted for by program, and using the same line item~~
10 ~~definitions of expenditures as used for the current fiscal~~
11 ~~year's budget request, and the remainder of the estimate of~~
12 ~~expenditure requirements prioritized by program.~~ The supreme

13 court shall also make use of the department of management's
14 automated budget system when submitting information to the
15 director of the department of management to assist the director
16 in the transmittal of information as required under section
17 8.35A. The supreme court shall budget and track expenditures
18 by the following separate organization codes:

19 DIVISION VII

20 BLACKOUT SPECIAL REGISTRATION PLATES

21 Sec. 35. Section 321.34, Code 2019, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 11C. *Blackout plates.*

24 a. Upon application and payment of the proper fees,
25 the director may issue blackout plates to the owner of a
26 motor vehicle subject to registration under section 321.109,
27 subsection 1, autocycle, motor truck, motor home, multipurpose
28 vehicle, motorcycle, trailer, or travel trailer.

29 b. Blackout plates shall be designed by the department. A
30 blackout plate's background shall be black, and the plate's
31 letters and numbers shall be white.

32 c. The special blackout fee for letter-number designated
33 blackout plates is thirty-five dollars. An applicant may
34 obtain personalized blackout plates upon payment of the fee for
35 personalized plates as provided in subsection 5, which is in

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1 addition to the special blackout fee. The fees collected by
2 the director under this subsection shall be paid monthly to the
3 treasurer of state and deposited in the road use tax fund.

4 d. Upon receipt of the special registration plates, the
5 applicant shall surrender the current registration plates to
6 the county treasurer. The county treasurer shall validate
7 the special registration plates in the same manner as regular
8 registration plates are validated under this section. The
9 annual special blackout fee for letter-number designated plates
10 is ten dollars which shall be paid in addition to the regular
11 annual registration fee. The annual fee for personalized
12 blackout plates is five dollars which shall be paid in addition
13 to the annual special blackout fee and the regular annual
14 registration fee. The annual special blackout fee shall be
15 credited as provided under paragraph "c".

16 e. The department shall not condition the issuance of
17 blackout plates on the receipt of any number of orders for
18 blackout plates.

19 Sec. 36. Section 321.166, subsection 9, Code 2019, is
20 amended to read as follows:

21 9. Special registration plates issued pursuant to section
22 321.34, other than gold star, medal of honor, collegiate, fire
23 fighter, ~~and~~ natural resources, and blackout registration
24 plates, shall be consistent with the design and color of
25 regular registration plates but shall provide a space on a
26 portion of the plate for the purpose of allowing the placement

27 of a distinguishing processed emblem or an organization
28 decal. Special registration plates shall also comply with
29 the requirements for regular registration plates as provided
30 in this section to the extent the requirements are consistent
31 with the section authorizing a particular special vehicle
32 registration plate.

33 DIVISION VIII
34 GAMBLING REGULATION

35 Sec. 37. Section 99F.7A, subsection 3, if enacted by 2019

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1 Iowa Acts, Senate File 617, section 10, is amended to read as
2 follows:
3 3. A licensee under this section may enter into operating
4 agreements with one or two entities to have up to a total of
5 two individually branded internet sites to conduct advance
6 deposit sports wagering for the licensee, unless one additional
7 operating agreement or individually branded internet site
8 is authorized by the commission. However, a person shall
9 not sell, grant, assign, or turn over to another person the
10 operation of an individually branded internet site to conduct
11 advance deposit wagering for the licensee without the approval
12 of the commission. This section does not prohibit an agreement
13 entered into between a licensee under this section and an
14 advanced deposit sports wagering operator as approved by the
15 commission.

16 Sec. 38. Section 99F.13, Code 2019, is amended to read as
17 follows:

18 **99F.13 Annual audit of licensee operations.**
19 Within ninety days after the end of the licensee's fiscal
20 year, the licensee shall transmit to the commission an audit
21 of the licensee's total gambling operations, including an
22 itemization of all expenses and subsidies. For a licensed
23 subsidiary of a parent company, an audit of the parent company
24 meets the requirements of this section. All audits shall
25 be conducted by certified public accountants authorized
26 to practice in the state of Iowa under chapter 542 ~~who are~~
27 ~~selected by the board of supervisors of the county in which the~~
28 ~~licensee operates.~~

29 DIVISION IX
30 PUBLIC UTILITIES

31 Sec. 39. Section 476.6, subsection 15, paragraph c,
32 subparagraphs (2) and (4), Code 2019, are amended to read as
33 follows:

34 (2) Notwithstanding the goals developed pursuant to
35 paragraph "b", the board shall not require or allow a gas

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1 utility to adopt an energy efficiency plan that results in
2 projected cumulative average annual costs that exceed one

3 and one-half percent of the gas utility's expected annual
4 Iowa retail rate revenue from retail customers in the state,
5 shall not require or allow an electric utility to adopt an
6 energy efficiency plan that results in projected cumulative
7 average annual costs that exceed two percent of the electric
8 utility's expected annual Iowa retail rate revenue from retail
9 customers in the state, and shall not require or allow an
10 electric utility to adopt a demand response plan that results
11 in projected cumulative average annual costs that exceed two
12 percent of the electric utility's expected annual Iowa retail
13 rate revenue from retail customers in the state. For purposes
14 of determining the two percent threshold amount, the board
15 shall exclude from an electric utility's expected annual Iowa
16 retail rate revenue the revenues expected from customers that
17 have received exemptions from energy efficiency plans pursuant
18 to paragraph "a". This subparagraph shall apply to energy
19 efficiency plans and demand response plans that are effective
20 on or after January 1, 2019.

21 (4) The board shall approve, reject, or modify a plan filed
22 pursuant to this subsection no later than March 31, 2019. If
23 the board fails to approve, reject, or modify a plan filed by a
24 gas or electric utility on or before such date, any plan filed
25 by the gas or electric utility that was approved by the board
26 prior to May 4, 2018, shall be terminated. The board shall
27 not require or allow a gas or electric utility to implement an
28 energy efficiency plan or demand response plan that does not
29 meet the requirements of this subsection.

30 DIVISION X

31 BOARD OF REGENTS CAPITAL PROJECTS

32 Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.

33 1. The state board of regents shall submit a written report,
34 including such information and recommendations as required by
35 this section, to the general assembly by December 13, 2019,

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1 regarding the financing of capital projects at institutions
2 under the control of the state board of regents.
3 2. The written report shall include a list of all capital
4 projects initiated by an institution under the control of the
5 state board of regents since January 1, 2004, in which the
6 state provided at least a part of the financing for the project
7 from an appropriation from the rebuild Iowa infrastructure fund
8 created in section 8.57. For each project listed, the report
9 shall include all of the following information:
10 a. Total cost of each project.
11 b. The amount and percentage of each project financed
12 through donations and gifts from private sources.
13 c. The amount and percentage of each project financed
14 through funding from the federal government.
15 d. The amount and percentage of each project financed
16 through institution sources.

- 17 e. The amount and percentage of each project financed
18 through state dollars.
- 19 f. The amount and percentage of each project financed
20 through other sources.
- 21 g. Whether each project was considered a renovation or new
22 construction.
- 23 3. The written report shall include, for each year since
24 January 1, 2004, the percentage of capital project costs that
25 were covered by donations and gifts from private sources for
26 capital projects that did not receive state funding.
- 27 4. The written report shall include information regarding
28 how the state board of regents defines new construction and
29 renovations, a list of capital projects initiated due to
30 extraordinary circumstances, and the current method used by
31 the state board of regents and institutions under the control
32 of the state board of regents to develop financing plans for
33 capital projects.
- 34 5. The written report shall also include recommendations to
35 the general assembly regarding the following:

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- 1 a. The type of capital projects that should be eligible for
2 state funding.
- 3 b. The share of state-funded capital projects that should be
4 funded with non-state dollars.
- 5 c. How the fundraising plan will be developed for
6 state-funded projects.
- 7 Sec. 41. REPEAL. Section 262.67, if enacted by 2019 Iowa
8 Acts, House File 765, section 16, is repealed.
- 9 DIVISION XI
- 10 WATERSHED MANAGEMENT AUTHORITIES
- 11 Sec. 42. Section 466B.22, Code 2019, is amended by adding
12 the following new subsection:
- 13 NEW SUBSECTION. 5. If a portion of a United States
14 geological survey hydrologic unit code 8 watershed is located
15 outside of this state, any political subdivision in such a
16 watershed may participate in any watershed management authority
17 which includes the county in which the political subdivision
18 is located.>
- 19 2. Title page, line 4, by striking <date> and inserting
20 <date, applicability, and retroactive applicability>

MICHAEL BREITBACH

S-3238

- 1 Amend House File 760, 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 423A.5, subsection 1, Code 2019, is

6 amended to read as follows:

7 1. The sales price from the renting of lodging ~~which is~~
8 ~~rented by the same person to a tenant as defined in section~~
9 ~~562A.6 or 562B.7 where the lodging is rented by the same tenant~~
10 for a period of more than thirty-one consecutive days.

11 Sec. 2. Section 423A.5, Code 2019, is amended by adding the
12 following new subsections:

13 NEW SUBSECTION. 1A. The sales price from the renting of
14 lodging which is rented by the same person for the period
15 beginning after ninety consecutive days of rental by such
16 person.

17 NEW SUBSECTION. 4.a. The sales price of lodging furnished
18 to the guests of a nonprofit lodging provider and the purpose
19 of renting is to provide a place for the friends and family of
20 a hospital patient during a time of medical need of the patient
21 and the length of stay is based upon the needs of the friends,
22 family, or patient.

23 b. For purposes of this subsection, “*nonprofit lodging*
24 *provider*” means a nonprofit entity which is exempt from federal
25 income taxation pursuant to section 501(c)(3) of the Internal
26 Revenue Code that maintains an established facility that
27 provides lodging to friends and family of a hospital patient
28 during a time of medical need of the patient.>

29 2. Title page, lines 2 and 3, by striking <after a certain
30 number of consecutive days>

DAN DAWSON

S-3239

1 Amend Senate File 640 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 423A.5, subsection 1, Code 2019, is
5 amended to read as follows:

6 1. The sales price from the renting of lodging ~~which is~~
7 ~~rented by the same person to a person where the lodging is~~
8 ~~rented by the same person~~ for a period of more than thirty-one
9 consecutive days, and where a landlord tenant relationship
10 exists.

11 Sec. 2. Section 423A.5, Code 2019, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 4. The sales price from the renting of
14 lodging which is rented by the same person for the period
15 beginning after ninety consecutive days of rental by such
16 person.>

17 2. Title page, by striking lines 1 and 2 and inserting
18 <An Act relating to the exemption from the hotel and motel
19 taxes for the renting of lodging after a certain number of
20 consecutive days.>

DAN DAWSON

S-3240

1 Amend House File 767, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 1, line 13, after <vehicle> by inserting <not
4 manufactured or assembled in the United States that is>
5 2. Page 1, line 14, after <engine,> by inserting <and>
6 3. Page 1, line 33, after <vehicle> by inserting <not
7 manufactured or assembled in the United States that is>

ROBERT M. HOGG

S-3241

1 Amend the amendment, S-3236, to House File 759, as amended,
2 passed, and reprinted by the House, as follows:

- 3 1. Page 17, after line 21 by inserting:
4 <c. From the moneys appropriated in paragraph “a”, the
5 secretary of state shall use \$100,000 for training regarding
6 voter education and outreach for minority, disabled, and new
7 citizen voters in the state.>

CLAIRE CELSI

S-3242

1 Amend the amendment, S-3236, to House File 759, as amended,
2 passed, and reprinted by the House, as follows:

- 3 1. Page 21, after line 2 by inserting:
4 <Sec. ____ NEW SECTION. **68B.9 Lobbying activities by**
5 **political subdivisions.**
6 1. For purposes of this section, unless the context
7 otherwise requires:
8 a. “*Lobbying*” means direct action to encourage the passage,
9 defeat, approval, veto, or modification of legislation, a rule,
10 or an executive order that is being considered by the general
11 assembly, a state agency, or a statewide elected official.
12 b. “*Political subdivision*” means a county, city, township,
13 or school district.
14 2. A political subdivision that contracts with or otherwise
15 compensates a person to lobby on behalf of the political
16 subdivision shall do so in a reasonable manner, including all
17 of the following:
18 a. Using written requests for proposal to solicit lobbying
19 services. The duration of a contract for lobbying services
20 shall not exceed five years. A political subdivision shall
21 not renew a contract for lobbying services or enter into a new
22 contract for lobbying services unless the political subdivision
23 uses a written request for proposal to solicit lobbying
24 services.
25 b. Selecting lobbyists on the basis of competence and
26 qualifications for the services required.

27 c. Paying fair and reasonable compensation.
28 3.a. If a political subdivision contracts with or
29 otherwise compensates a person to lobby on behalf of the
30 political subdivision, or if an employee, officer, or elected
31 or appointed official of the political subdivision engages in
32 more than ten hours of lobbying on behalf of the political
33 subdivision in a calendar month, the political subdivision
34 shall, subject to paragraph "b", publish all of the following on
35 its internet site:

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1 (1) Full copies of all contracts in effect that provide, in
2 whole or in part, for the provision of lobbying services.
3 (2) Not later than two weeks after the end of each fiscal
4 year, a schedule showing all payments the political subdivision
5 made during the preceding fiscal year to any person acting as
6 a lobbyist on behalf of the political subdivision or, in the
7 case of an employee, officer, or elected or appointed official,
8 the total annual compensation the political subdivision paid to
9 such person and the total number of hours spent by that person
10 in lobbying activities on behalf of the political subdivision
11 in the preceding fiscal year.
12 (3) Not later than two weeks after the end of each fiscal
13 year, a schedule identifying each bill on which a person
14 serving as a lobbyist or engaged in lobbying registered a
15 position on behalf of the political subdivision, and for each
16 such bill either the legislative history for the bill as
17 depicted on the general assembly's internet site or the link
18 to the page of the general assembly's internet site with the
19 legislative history for the bill.
20 b. If the political subdivision does not maintain
21 an internet site but is otherwise subject to reporting
22 requirements under paragraph "a", the political subdivision
23 shall annually publish all the information required by
24 paragraph "a", subparagraphs (1) through (3), within three
25 weeks of the end of the fiscal year in the same manner that the
26 political subdivision provides notice pursuant to section 21.4.
27 4. An organization subject to audit pursuant to section
28 11.6, subsection 9, and any other organization that lobbies
29 on behalf of any category or group of political subdivisions,
30 shall, not later than two weeks after the end of the
31 fiscal year, publish on the organization's internet site
32 the information required by subsection 3, paragraph "a",
33 subparagraph (3).
34 5. Notwithstanding section 22.7, a record, document, or
35 other information stored or preserved in any medium that

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1 relates to lobbying by a person for or on behalf of a political
2 subdivision is a public record subject to the provisions of

chapter 22, shall be preserved and maintained for a period of not less than seven years, and shall be available for examination and copying by the public upon reasonable terms as required by chapter 22.>

2. By renumbering as necessary.

ZACH WHITING

S-3243

Amend the amendment, S-3237, to Senate File 638 as follows:

1. Page 11, after line 31 by inserting:

<Sec. ____ CONTINGENT FLOOD RECOVERY APPROPRIATION.

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management, for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be credited to the flood recovery fund created in section 418.16, as enacted by this Act, and used for the purposes designated in section 418.16, as enacted by this Act:

..... \$ 25,000,000

2. The appropriation provided in this section shall only occur if all of the following conditions are met:

a. The moneys awarded to political subdivisions from the flood recovery fund created in section 418.16, as enacted by this Act, for approved project applications exceeds the amount of moneys in the fund from other appropriations made by the general assembly and any other moneys available to, obtained by, or accepted by the board for deposit in the fund.

b. Upon the request or at the request of the governor, the flood mitigation board determines that additional moneys from the flood recovery fund created in section 418.16, as enacted by this Act, are needed to support remaining approved project applications if such projects are necessary for flood response, flood recovery, or flood mitigation activities and if such projects are in the public interest.>

2. By renumbering as necessary.

ROBERT M. HOGG
JACKIE SMITH

S-3244

Amend the amendment, S-3237, to Senate File 638 as follows:

1. Page 19, after line 8 by inserting:

<DIVISION ____

VEHICLE WEIGHT — OPERATION

Sec. ____ Section 321.463, subsection 9, Code 2019, is amended to read as follows:

9. a. A When operating on a paved highway that is not otherwise restricted for weight, a vehicle or combination of

9 vehicles transporting materials or equipment on nonprimary
10 highways to or from a construction project or commercial plant
11 site may operate under the maximum gross weight table for
12 primary highways in subsection 6, paragraph “a”, or the maximum
13 gross weight table for noninterstate highways in subsection 6,
14 paragraph “c”.

15 b. When operating on a highway that is not paved and not
16 otherwise restricted for weight, a vehicle or combination of
17 vehicles transporting materials or equipment on nonprimary
18 highways to or from a construction project or commercial plant
19 site may operate under the maximum gross weight table for
20 noninterstate highways in subsection 6, paragraph “c”.

21 c. When crossing a bridge, such a vehicle or combination
22 of vehicles shall comply with any weight restriction imposed
23 for the bridge pursuant to section 321.471 or 321.474, provided
24 signs that conform to the manual of uniform traffic-control
25 devices adopted by the department that give notice of the
26 restriction are posted as required under section 321.472 or
27 321.474, as applicable.>

28 2. By renumbering as necessary.

MARK SEGEBART

S-3245

1 Amend House File 638, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 562A.9, subsection 4, Code 2019, is
5 amended to read as follows:

6 4. For rental agreements in which the rent does not exceed
7 seven hundred dollars per month, a rental agreement shall not
8 provide for a late fee that exceeds twelve dollars per day or a
9 total amount of sixty dollars per month. For rental agreements
10 in which the rent is greater than seven hundred dollars per
11 month but less than one thousand four hundred dollars per
12 month, a rental agreement shall not provide for a late fee that
13 exceeds twenty dollars per day or a total amount of one hundred
14 dollars per month. For rental agreements in which the rent is
15 at least one thousand four hundred dollars per month, a rental
16 agreement shall not provide for a late fee that exceeds two
17 percent of the rent per day or a total amount of ten percent of
18 the rent per month.

19 Sec. 2. Section 562B.10, subsections 4 and 5, Code 2019, are
20 amended to read as follows:

21 4. For rental agreements in which the rent does not exceed
22 seven hundred dollars per month, a rental agreement shall not
23 provide for a late fee that exceeds twelve dollars per day or a
24 total amount of sixty dollars per month. For rental agreements
25 in which the rent is greater than seven hundred dollars per
26 month but less than one thousand four hundred dollars per
27 month, a rental agreement shall not provide for a late fee that

28 exceeds twenty dollars per day or a total amount of one hundred
29 dollars per month. For rental agreements in which the rent is
30 at least one thousand four hundred dollars per month, a rental
31 agreement shall not provide for a late fee that exceeds two
32 percent of the rent per day or a total amount of ten percent of
33 the rent per month.
34 5. a. Rental agreements shall be for a term of one year
35 unless otherwise specified in the rental agreement. Rental

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1 agreements shall be canceled by at least sixty days' written
2 notice given by either party. A notice to cancel under this
3 subsection initiated by a landlord shall be for good cause. A
4 landlord shall not cancel a rental agreement solely for the
5 purpose of making the tenant's mobile home space available for
6 another mobile home.
7 b. For purposes of this subsection, "good cause" means
8 violation of this chapter by the tenant, a material violation
9 of the manufactured home community or mobile home park rules
10 or regulations, a change in the use of the land on which the
11 mobile home park is located, or material noncompliance with the
12 rental agreement by the tenant.
13 Sec. 3. **NEW SECTION. 562B.12A Increasing rent.**
14 A landlord shall not increase the rent on any tenant in a
15 mobile home park unless the landlord has provided notice at
16 least one hundred eighty days in advance of the rent increase.
17 Sec. 4. **EFFECTIVE DATE.** This Act, being deemed of immediate
18 importance, takes effect upon enactment.>
19 2. Title page, by striking lines 1 through 3 and inserting
20 <An Act providing for remedies, procedures, and requirements
21 applicable to landlords under specified circumstances and
22 including effective date provisions.>

ANNETTE SWEENEY

S-3246

1 Amend Senate File 338 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 218.1, Code 2019, is amended to read as
5 follows:
6 **218.1 Institutions controlled.**
7 The director of human services shall have the general and
8 full authority given under statute to control, manage, direct,
9 and operate the following institutions under the director's
10 jurisdiction, and may at the director's discretion assign
11 the powers and authorities given the director by statute to
12 any one of the deputy directors, division administrators, or
13 officers or employees of the divisions of the department of
14 human services:

15 1. Glenwood state resource center.
 16 2. Woodward state resource center.
 17 3. Mental health institute, Cherokee, Iowa.
 18 ~~4. Mental health institute, Clarinda, Iowa.~~
 19 ~~5. 4. Mental health institute, Independence, Iowa.~~
 20 ~~6. Mental health institute, Mount Pleasant, Iowa.~~
 21 ~~7. 5. State training school.~~
 22 ~~8. 6. Iowa juvenile home.~~
 23 ~~9. 7. Other facilities not attached to the campus of the~~
 24 ~~main institution as program developments require.~~
 25 Sec. 2. Section 226.1, subsection 1, Code 2019, is amended
 26 to read as follows:
 27 1. The state hospitals for persons with mental illness shall
 28 be designated as follows:
 29 ~~a. Mental Health Institute, Mount Pleasant, Iowa.~~
 30 ~~b. a. Mental Health Institute, Independence, Iowa.~~
 31 ~~c. Mental Health Institute, Clarinda, Iowa.~~
 32 ~~d. b. Mental Health Institute, Cherokee, Iowa.~~
 33 Sec. 3. Section 226.30, Code 2019, is amended to read as
 34 follows:
 35 **226.30 Transfer of dangerous patients.**

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1 When a patient of any hospital for persons with mental
 2 illness becomes incorrigible, and unmanageable to such an
 3 extent that the patient is dangerous to the safety of others
 4 in the hospital, the administrator, with the consent of the
 5 director of the Iowa department of corrections, may apply in
 6 writing to the district court or to any judge thereof, of the
 7 county in which the hospital is situated, for an order to
 8 transfer the patient to the Iowa medical and classification
 9 center and if the order is granted the patient shall be so
 10 transferred. The county attorney of the county shall appear in
 11 support of the application on behalf of the administrator.
 12 Sec. 4. Section 232.102, subsections 4 and 5, Code 2019, are
 13 amended by striking the subsections.
 14 Sec. 5. Section 232.103, subsection 7, Code 2019, is amended
 15 by striking the subsection.
 16 Sec. 6. Section 257.11, subsection 4, paragraph e,
 17 subparagraph (3), Code 2019, is amended to read as follows:
 18 (3) The pupil is not in the state training school ~~or the~~
 19 ~~Iowa juvenile home~~ pursuant to a court order entered under
 20 chapter 232 under the care and custody of the department of
 21 human services.
 22 Sec. 7. Section 257.41, subsection 4, paragraph c, Code
 23 2019, is amended to read as follows:
 24 c. The student is not in the state training school ~~or the~~
 25 ~~Iowa juvenile home~~ pursuant to a court order entered under
 26 chapter 232 under the care and custody of the department of
 27 human services.
 28 Sec. 8. Section 259A.6, Code 2019, is amended to read as

29 follows:

30 **259A.6 Residents of juvenile institutions and juvenile**
 31 **probationers.**

32 Notwithstanding the provisions of section 259A.2 a minor
 33 who is a resident of a state training school ~~or the Iowa~~
 34 ~~juvenile home~~ or a minor who is placed under the supervision
 35 of a juvenile probation office may make application for a high

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1 school equivalency diploma and upon successful completion of
 2 the program receive a high school equivalency diploma.

3 Sec. 9. Section 331.424, subsection 1, paragraph a,
 4 subparagraph (1), subparagraph division (b), Code 2019, is
 5 amended by striking the subparagraph division.

6 Sec. 10. Section 331.756, subsection 51, Code 2019, is
 7 amended by striking the subsection.

8 Sec. 11. Section 331.802, subsection 3, paragraph k, Code
 9 2019, is amended to read as follows:

10 k. Death of a person committed or admitted to a state
 11 mental health institute, a state resource center, or the state
 12 training school, ~~or the Iowa juvenile home.~~

13 Sec. 12. REPEAL. Chapter 233B, Code 2019, is repealed.>

14 2. Title page, by striking lines 1 through 3 and inserting
 15 <An Act relating to institutions under the control of the
 16 department of human services, including providing for the
 17 transfer of dangerous persons with mental illness from a
 18 hospital for persons with mental illness to the Iowa medical
 19 and classification center.>

ZACH NUNN

S-3247

1 Amend the amendment, S-3201, to House File 766, as amended,
 2 passed, and reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 88, line 7, and
 4 inserting:

5 <Amend House File 766, as amended, passed, and reprinted by
 6 the House, as follows:

7 1. By striking everything after the enacting clause and
 8 inserting:

9 <DIVISION I
 10 DEPARTMENT ON AGING — FY 2019–2020

11 Section 1. DEPARTMENT ON AGING. There is appropriated from
 12 the general fund of the state to the department on aging for
 13 the fiscal year beginning July 1, 2019, and ending June 30,
 14 2020, the following amount, or so much thereof as is necessary,
 15 to be used for the purposes designated:

16 For aging programs for the department on aging and area
 17 agencies on aging to provide citizens of Iowa who are 60 years
 18 of age and older with case management for frail elders, Iowa's

19 aging and disabilities resource center, and other services
20 which may include but are not limited to adult day services,
21 respite care, chore services, information and assistance,
22 and material aid, for information and options counseling for
23 persons with disabilities who are 18 years of age or older,
24 and for salaries, support, administration, maintenance, and
25 miscellaneous purposes, and for not more than the following
26 full-time equivalent positions:
27 \$ 11,191,441
28 FTEs 27.00
29 1. Funds appropriated in this section may be used to
30 supplement federal funds under federal regulations. To
31 receive funds appropriated in this section, a local area
32 agency on aging shall match the funds with moneys from other
33 sources according to rules adopted by the department. Funds
34 appropriated in this section may be used for elderly services
35 not specifically enumerated in this section only if approved

Page 2

1 by an area agency on aging for provision of the service within
2 the area.
3 2. Of the funds appropriated in this section, \$279,000 is
4 transferred to the economic development authority for the Iowa
5 commission on volunteer services to be used for the retired and
6 senior volunteer program.
7 3. a. The department on aging shall establish and enforce
8 procedures relating to expenditure of state and federal funds
9 by area agencies on aging that require compliance with both
10 state and federal laws, rules, and regulations, including but
11 not limited to all of the following:
12 (1) Requiring that expenditures are incurred only for goods
13 or services received or performed prior to the end of the
14 fiscal period designated for use of the funds.
15 (2) Prohibiting prepayment for goods or services not
16 received or performed prior to the end of the fiscal period
17 designated for use of the funds.
18 (3) Prohibiting prepayment for goods or services not
19 defined specifically by good or service, time period, or
20 recipient.
21 (4) Prohibiting the establishment of accounts from which
22 future goods or services which are not defined specifically by
23 good or service, time period, or recipient, may be purchased.
24 b. The procedures shall provide that if any funds are
25 expended in a manner that is not in compliance with the
26 procedures and applicable federal and state laws, rules, and
27 regulations, and are subsequently subject to repayment, the
28 area agency on aging expending such funds in contravention of
29 such procedures, laws, rules and regulations, not the state,
30 shall be liable for such repayment.
31 4. Of the funds appropriated in this section, at least
32 \$600,000 shall be used to fund home and community-based

33 services through the area agencies on aging that enable older
34 individuals to avoid more costly utilization of residential or
35 institutional services and remain in their own homes.

Page 3

1 5. Of the funds appropriated in this section, \$812,000 shall
2 be used for the purposes of chapter 231E and to administer
3 the prevention of elder abuse, neglect, and exploitation
4 program pursuant to section 231.56A, in accordance with the
5 requirements of the federal Older Americans Act of 1965, 42
6 U.S.C. §3001 et seq., as amended.

7 6. Of the funds appropriated in this section, \$1,000,000
8 shall be used to fund continuation of the aging and disability
9 resource center lifelong links to provide individuals and
10 caregivers with information and services to plan for and
11 maintain independence.

12 7. Of the funds appropriated in this section, \$250,000
13 shall be used by the department on aging, in collaboration with
14 the department of human services and affected stakeholders, to
15 expand the pilot initiative to provide long-term care options
16 counseling utilizing support planning protocols, to assist
17 non-Medicaid eligible consumers who indicate a preference
18 to return to the community and are deemed appropriate for
19 discharge, to return to their community following a nursing
20 facility stay. The department on aging shall submit a report
21 regarding the outcomes of the pilot initiative to the governor
22 and the general assembly by December 15, 2019.

23 DIVISION II

24 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2019–2020

25 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
26 appropriated from the general fund of the state to the office
27 of long-term care ombudsman for the fiscal year beginning July
28 1, 2019, and ending June 30, 2020, the following amount, or
29 so much thereof as is necessary, to be used for the purposes
30 designated:

31 For salaries, support, administration, maintenance, and
32 miscellaneous purposes, and for not more than the following
33 full-time equivalent positions:

| | | |
|----------|------|-----------|
| 34 | \$ | 1,149,821 |
| 35 | FTEs | 16.00 |

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1 DIVISION III

2 DEPARTMENT OF PUBLIC HEALTH — FY 2019–2020

3 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
4 from the general fund of the state to the department of public
5 health for the fiscal year beginning July 1, 2019, and ending
6 June 30, 2020, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 1. ADDICTIVE DISORDERS

9 For reducing the prevalence of the use of tobacco, alcohol,
10 and other drugs, and treating individuals affected by addictive
11 behaviors, including gambling, and for not more than the
12 following full-time equivalent positions:

| | | |
|----------|------|------------|
| 13 | \$ | 25,110,000 |
| 14 | FTEs | 12.00 |

15 a.(1) Of the funds appropriated in this subsection,
16 \$4,021,000 shall be used for the tobacco use prevention
17 and control initiative, including efforts at the state and
18 local levels, as provided in chapter 142A. The commission
19 on tobacco use prevention and control established pursuant
20 to section 142A.3 shall advise the director of public health
21 in prioritizing funding needs and the allocation of moneys
22 appropriated for the programs and initiatives. Activities
23 of the programs and initiatives shall be in alignment with
24 the United States centers for disease control and prevention
25 best practices for comprehensive tobacco control programs that
26 include the goals of preventing youth initiation of tobacco
27 usage, reducing exposure to secondhand smoke, and promotion
28 of tobacco cessation. To maximize resources, the department
29 shall determine if third-party sources are available to
30 instead provide nicotine replacement products to an applicant
31 prior to provision of such products to an applicant under
32 the initiative. The department shall track and report to
33 the individuals specified in this Act, any reduction in
34 the provision of nicotine replacement products realized by
35 the initiative through implementation of the prerequisite

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1 screening.

2 (2) (a) The department shall collaborate with the
3 alcoholic beverages division of the department of commerce for
4 enforcement of tobacco laws, regulations, and ordinances and to
5 engage in tobacco control activities approved by the division
6 of tobacco use prevention and control of the department of
7 public health as specified in the memorandum of understanding
8 entered into between the divisions.

9 (b) For the fiscal year beginning July 1, 2019, and ending
10 June 30, 2020, the terms of the memorandum of understanding,
11 entered into between the division of tobacco use prevention
12 and control of the department of public health and the
13 alcoholic beverages division of the department of commerce,
14 governing compliance checks conducted to ensure licensed retail
15 tobacco outlet conformity with tobacco laws, regulations, and
16 ordinances relating to persons under 18 years of age, shall
17 continue to restrict the number of such checks to one check per
18 retail outlet, and one additional check for any retail outlet
19 found to be in violation during the first check.

20 b.(1) Of the funds appropriated in this subsection,
21 \$21,089,000 shall be used for problem gambling and
22 substance-related disorder prevention, treatment, and recovery

23 services, including a 24-hour helpline, public information
24 resources, professional training, youth prevention, and program
25 evaluation.

26 (2) Of the amount allocated under this paragraph, \$306,000
27 shall be utilized by the department of public health, in
28 collaboration with the department of human services, to support
29 establishment and maintenance of a single statewide 24-hour
30 crisis hotline for the Iowa children's behavioral health system
31 that incorporates warmline services which may be provided
32 through expansion of existing capabilities maintained by the
33 department of public health as required pursuant to 2018 Iowa
34 Acts, chapter 1056, section 16.

35 c. The requirement of section 123.17, subsection 5, is met

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1 by the appropriations and allocations made in this division of
2 this Act for purposes of substance-related disorder treatment
3 and addictive disorders for the fiscal year beginning July 1,
4 2019.

5 2. HEALTHY CHILDREN AND FAMILIES

6 For promoting the optimum health status for children and
7 adolescents from birth through 21 years of age, and families,
8 and for not more than the following full-time equivalent
9 positions:

| | | |
|----------|------|-----------|
| 10 | \$ | 5,817,057 |
| 11 | FTEs | 14.00 |

12 a. Of the funds appropriated in this subsection, not more
13 than \$734,000 shall be used for the healthy opportunities for
14 parents to experience success (HOPES)-healthy families Iowa
15 (HFI) program established pursuant to section 135.106. The
16 funding shall be distributed to renew the grants that were
17 provided to the grantees that operated the program during the
18 fiscal year ending June 30, 2018. However, the department
19 shall issue a request for proposals and distribute grants to
20 the grantees selected to operate the program no later than
21 January 1, 2020. The department shall not retain any portion
22 of the allocation under this paragraph for administrative
23 costs.

24 b. In order to implement the legislative intent stated
25 in sections 135.106 and 256I.9, priority for home visitation
26 program funding shall be given to programs using evidence-based
27 or promising models for home visitation.

28 c. Of the funds appropriated in this subsection, \$3,075,000
29 shall be used for continuation of the department's initiative
30 to provide for adequate developmental surveillance and
31 screening during a child's first five years. The funds shall
32 be used first to fully fund the current sites to ensure that
33 the sites are fully operational, with the remaining funds
34 to be used for expansion to additional sites. The full
35 implementation and expansion shall include enhancing the scope

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1 of the initiative through collaboration with the child health
2 specialty clinics to promote healthy child development through
3 early identification and response to both biomedical and social
4 determinants of healthy development; by monitoring child
5 health metrics to inform practice, document long-term health
6 impacts and savings, and provide for continuous improvement
7 through training, education, and evaluation; and by providing
8 for practitioner consultation particularly for children with
9 behavioral conditions and needs. The department of public
10 health shall also collaborate with the Iowa Medicaid enterprise
11 and the child health specialty clinics to integrate the
12 activities of the first five initiative into the establishment
13 of patient-centered medical homes, community utilities,
14 accountable care organizations, and other integrated care
15 models developed to improve health quality and population
16 health while reducing health care costs. To the maximum extent
17 possible, funding allocated in this paragraph shall be utilized
18 as matching funds for medical assistance program reimbursement.

19 d. Of the funds appropriated in this subsection, \$64,000
20 shall be distributed to a statewide dental carrier to provide
21 funds to continue the donated dental services program patterned
22 after the projects developed by the lifeline network to provide
23 dental services to indigent individuals who are elderly or with
24 disabilities.

25 e. Of the funds appropriated in this subsection, \$156,000
26 shall be used to provide audiological services and hearing aids
27 for children.

28 f. Of the funds appropriated in this subsection, \$23,000 is
29 transferred to the university of Iowa college of dentistry for
30 provision of primary dental services to children. State funds
31 shall be matched on a dollar-for-dollar basis. The university
32 of Iowa college of dentistry shall coordinate efforts with the
33 department of public health, oral and health delivery system
34 bureau, to provide dental care to underserved populations
35 throughout the state.

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1 g. Of the funds appropriated in this subsection, \$50,000
2 shall be used to address youth suicide prevention.

3 h. Of the funds appropriated in this subsection, \$40,000
4 shall be used to support the Iowa effort to address the survey
5 of children who experience adverse childhood experiences known
6 as ACEs.

7 i. Of the funds appropriated in this subsection, up to
8 \$494,000 shall be used for childhood obesity prevention.

9 3. CHRONIC CONDITIONS

10 For serving individuals identified as having chronic
11 conditions or special health care needs, and for not more than
12 the following full-time equivalent positions:

| | | | |
|----|-------|------|-----------|
| 13 | ..... | \$ | 4,223,519 |
| 14 | ..... | FTEs | 9.00 |

15 a. Of the funds appropriated in this subsection, \$153,000

16 shall be used for grants to individual patients who have an

17 inherited metabolic disorder to assist with the costs of

18 medically necessary foods and formula.

19 b. Of the funds appropriated in this subsection, \$1,055,000

20 shall be used for the brain injury services program pursuant

21 to section 135.22B, including \$861,000 for contracting with an

22 existing nationally affiliated and statewide organization whose

23 purpose is to educate, serve, and support Iowans with brain

24 injury and their families, for resource facilitator services

25 in accordance with section 135.22B, subsection 9, and for

26 contracting to enhance brain injury training and recruitment

27 of service providers on a statewide basis. Of the amount

28 allocated in this paragraph, \$95,000 shall be used to fund

29 one full-time equivalent position to serve as the state brain

30 injury services program manager.

31 c. Of the funds appropriated in this subsection, \$144,000

32 shall be used for the public purpose of continuing to contract

33 with an existing nationally affiliated organization to provide

34 education, client-centered programs, and client and family

35 support for people living with epilepsy and their families.

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1 The amount allocated in this paragraph in excess of \$50,000

2 shall be matched dollar-for-dollar by the organization

3 specified. Funds allocated under this paragraph shall be

4 distributed in their entirety for the purpose specified on July

5 1, 2019.

6 d. Of the funds appropriated in this subsection, \$809,000

7 shall be used for child health specialty clinics.

8 e. Of the funds appropriated in this subsection, \$384,000

9 shall be used by the regional autism assistance program

10 established pursuant to section 256.35, and administered by

11 the child health specialty clinic located at the university of

12 Iowa hospitals and clinics. The funds shall be used to enhance

13 interagency collaboration and coordination of educational,

14 medical, and other human services for persons with autism,

15 their families, and providers of services, including delivering

16 regionalized services of care coordination, family navigation,

17 and integration of services through the statewide system of

18 regional child health specialty clinics and fulfilling other

19 requirements as specified in chapter 225D. The university of

20 Iowa shall not receive funds allocated under this paragraph for

21 indirect costs associated with the regional autism assistance

22 program.

23 f. Of the funds appropriated in this subsection, \$577,000

24 shall be used for the comprehensive cancer control program to

25 reduce the burden of cancer in Iowa through prevention, early

26 detection, effective treatment, and ensuring quality of life.

27 Of the funds allocated in this paragraph “f”, \$150,000 shall
28 be used to support a melanoma research symposium, a melanoma
29 biorepository and registry, basic and translational melanoma
30 research, and clinical trials.
31 g. Of the funds appropriated in this subsection, \$97,000
32 shall be used for cervical and colon cancer screening, and
33 \$177,000 shall be used to enhance the capacity of the cervical
34 cancer screening program to include provision of recommended
35 prevention and early detection measures to a broader range of

Page 10

1 low-income women.
2 h. Of the funds appropriated in this subsection, \$506,000
3 shall be used for the center for congenital and inherited
4 disorders.
5 4. COMMUNITY CAPACITY
6 For strengthening the health care delivery system at the
7 local level, and for not more than the following full-time
8 equivalent positions:
9 \$ 5,594,677
10 FTEs 13.00
11 a. Of the funds appropriated in this subsection, \$95,000
12 is allocated for continuation of the child vision screening
13 program implemented through the university of Iowa hospitals
14 and clinics in collaboration with early childhood Iowa areas.
15 The program shall submit a report to the department regarding
16 the use of funds allocated under this paragraph “a”. The
17 report shall include the objectives and results for the
18 program year including the target population and how the funds
19 allocated assisted the program in meeting the objectives; the
20 number, age, and location within the state of individuals
21 served; the type of services provided to the individuals
22 served; the distribution of funds based on service provided;
23 and the continuing needs of the program.
24 b. Of the funds appropriated in this subsection,
25 \$48,000 shall be used for a grant to a statewide association
26 of psychologists, that is affiliated with the American
27 psychological association, to be used for continuation of a
28 program to rotate intern psychologists in placements in urban
29 and rural mental health professional shortage areas. For the
30 purposes of this paragraph “b”, “mental health professional
31 shortage area” means a geographic area in this state that has
32 been designated by the United States department of health and
33 human services, health resources and services administration,
34 bureau of health professionals, as having a shortage of mental
35 health professionals.

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1 c. Of the funds appropriated in this subsection, the
2 following amounts are allocated to be used as follows

3 to support the goals of increased access, health system
4 integration, and engagement:

5 (1) Not less than \$600,000 is allocated to the Iowa
6 prescription drug corporation for continuation of the
7 pharmaceutical infrastructure for safety net providers as
8 described in 2007 Iowa Acts, chapter 218, section 108, and for
9 the prescription drug donation repository program created in
10 chapter 135M. Funds allocated under this subparagraph shall
11 be distributed in their entirety for the purpose specified on
12 July 1, 2019.

13 (2) Not less than \$334,000 is allocated to free clinics and
14 free clinics of Iowa for necessary infrastructure, statewide
15 coordination, provider recruitment, service delivery, and
16 provision of assistance to patients in securing a medical home
17 inclusive of oral health care. Funds allocated under this
18 subparagraph shall be distributed in their entirety for the
19 purpose specified on July 1, 2019.

20 (3) Not less than \$25,000 is allocated to the Iowa
21 association of rural health clinics for necessary
22 infrastructure and service delivery transformation. Funds
23 allocated under this subparagraph shall be distributed in their
24 entirety for the purpose specified on July 1, 2019.

25 (4) Not less than \$225,000 is allocated to the Polk county
26 medical society for continuation of the safety net provider
27 patient access to specialty health care initiative as described
28 in 2007 Iowa Acts, chapter 218, section 109. Funds allocated
29 under this subparagraph shall be distributed in their entirety
30 for the purpose specified on July 1, 2019.

31 d. Of the funds appropriated in this subsection, \$191,000
32 is allocated for the purposes of health care and public health
33 workforce initiatives.

34 e. Of the funds appropriated in this subsection, \$96,000
35 shall be used for a matching dental education loan repayment

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1 program to be allocated to a dental nonprofit health service
2 corporation to continue to develop the criteria and implement
3 the loan repayment program.

4 f. Of the funds appropriated in this subsection, \$100,000
5 shall be used for the purposes of the Iowa donor registry as
6 specified in section 142C.18.

7 g. Of the funds appropriated in this subsection, \$96,000
8 shall be used for continuation of a grant to a nationally
9 affiliated volunteer eye organization that has an established
10 program for children and adults and that is solely dedicated to
11 preserving sight and preventing blindness through education,
12 nationally certified vision screening and training, and
13 community and patient service programs. The contractor shall
14 submit a report to the individuals identified in this Act for
15 submission of reports regarding the use of funds allocated
16 under this paragraph "g". The report shall include the

17 objectives and results for the program year including the
18 target population and how the funds allocated assisted the
19 program in meeting the objectives; the number, age, grade level
20 if appropriate, and location within the state of individuals
21 served; the type of services provided to the individuals
22 served; the distribution of funds based on services provided;
23 and the continuing needs of the program.
24 h. Of the funds appropriated in this subsection, \$2,000,000
25 shall be deposited in the medical residency training account
26 created in section 135.175, subsection 5, paragraph “a”, and
27 is appropriated from the account to the department of public
28 health to be used for the purposes of the medical residency
29 training state matching grants program as specified in section
30 135.176.
31 i. Of the funds appropriated in this subsection, \$250,000
32 shall be used for the public purpose of providing funding to
33 Des Moines university to continue a provider education project
34 to provide primary care physicians with the training and skills
35 necessary to recognize the signs of mental illness in patients.

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1 j. Of the funds appropriated in this subsection, \$400,000
2 shall be used for rural psychiatric residencies to support the
3 annual creation and training of four psychiatric residents who
4 will provide mental health services in underserved areas of the
5 state.
6 k. Of the funds appropriated in this subsection, \$150,000
7 shall be used for psychiatric training to increase access to
8 mental health care services by expanding the mental health
9 workforce via training of additional physician assistants and
10 nurse practitioners.

11 5. ESSENTIAL PUBLIC HEALTH SERVICES

12 To provide public health services that reduce risks and
13 invest in promoting and protecting good health over the
14 course of a lifetime with a priority given to older Iowans and
15 vulnerable populations:

16 \$ 7,662,464

17 6. INFECTIOUS DISEASES

18 For reducing the incidence and prevalence of communicable
19 diseases, and for not more than the following full-time
20 equivalent positions:

21 \$ 1,796,426
22 FTEs 4.00

23 7. PUBLIC PROTECTION

24 For protecting the health and safety of the public through
25 establishing standards and enforcing regulations, and for not
26 more than the following full-time equivalent positions:

27 \$ 4,093,383
28 FTEs 142.00

29 a. Of the funds appropriated in this subsection, not more
30 than \$304,000 shall be credited to the emergency medical

31 services fund created in section 135.25. Moneys in the
 32 emergency medical services fund are appropriated to the
 33 department to be used for the purposes of the fund.
 34 b. Of the funds appropriated in this subsection, up
 35 to \$243,000 shall be used for sexual violence prevention

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1 programming through a statewide organization representing
 2 programs serving victims of sexual violence through the
 3 department's sexual violence prevention program, and for
 4 continuation of a training program for sexual assault
 5 response team (SART) members, including representatives of
 6 law enforcement, victim advocates, prosecutors, and certified
 7 medical personnel. However, the department shall issue
 8 a request for proposals and execute a contract with the
 9 contractor selected to provide the programming and training
 10 as specified in this paragraph no later than January 1, 2020.
 11 The amount allocated in this paragraph "b" shall not be used
 12 to supplant funding administered for other sexual violence
 13 prevention or victims assistance programs. The department
 14 shall not retain any portion of the allocation under this
 15 paragraph for administrative costs.
 16 c. Of the funds appropriated in this subsection, up to
 17 \$500,000 shall be used for the state poison control center.
 18 Pursuant to the directive under 2014 Iowa Acts, chapter
 19 1140, section 102, the federal matching funds available to
 20 the state poison control center from the department of human
 21 services under the federal Children's Health Insurance Program
 22 Reauthorization Act allotment shall be subject to the federal
 23 administrative cap rule of 10 percent applicable to funding
 24 provided under Tit. XXI of the federal Social Security Act and
 25 included within the department's calculations of the cap.
 26 d. Of the funds appropriated in this subsection, up to
 27 \$504,000 shall be used for childhood lead poisoning provisions.

28 8. RESOURCE MANAGEMENT

29 For establishing and sustaining the overall ability of the
 30 department to deliver services to the public, and for not more
 31 than the following full-time equivalent positions:

| | | |
|----------|------|---------|
| 32 | \$ | 971,215 |
| 33 | FTEs | 4.00 |

34 9. MISCELLANEOUS PROVISIONS

35 a. The university of Iowa hospitals and clinics under

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1 the control of the state board of regents shall not receive
 2 indirect costs from the funds appropriated in this section.
 3 The university of Iowa hospitals and clinics billings to the
 4 department shall be on at least a quarterly basis.
 5 b. The department of public health shall collaborate
 6 with applicable stakeholders to review the allocations,

7 grants, and other distributions of funds appropriated under
8 this division of this Act and shall submit a report to the
9 individuals identified in this Act for submission of reports by
10 December 15, 2019, regarding a proposal for the distribution
11 of funds that more clearly reflects the department's stated
12 priorities and goals, provides increased flexibility in the
13 distribution of funds to meet these priorities and goals, and
14 ensures stakeholder accountability and a discernable return on
15 investment.

16 Sec. 4. CONTRACTED SERVICES — PROHIBITED USE OF GENERAL
17 FUND MONEYS FOR LOBBYING.

18 1. The department shall submit a report to the individuals
19 identified in this Act for submission of reports by January 1,
20 2020, regarding the outcomes of any program or activity for
21 which funding is appropriated or allocated from the general
22 fund of the state to the department under this division of
23 this Act, and for which a request for proposals process is
24 specifically required.

25 2. The department shall incorporate into the general
26 conditions applicable to all award documents involving funding
27 appropriated or allocated from the general fund of the state to
28 the department under this division of this Act, a prohibition
29 against the use of such funding for the compensation of a
30 lobbyist. For the purposes of this section, "lobbyist" means
31 the same as defined in section 68B.2; however, "lobbyist"
32 does not include a person employed by a state agency of the
33 executive branch of state government who represents the agency
34 relative to the passage, defeat, approval, or modification of
35 legislation that is being considered by the general assembly.

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1 DIVISION IV
2 DEPARTMENT OF VETERANS AFFAIRS — FY 2019–2020

3 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
4 appropriated from the general fund of the state to the
5 department of veterans affairs for the fiscal year beginning
6 July 1, 2019, and ending June 30, 2020, the following amounts,
7 or so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

| | | |
|----------|------|-----------|
| 13 | \$ | 1,225,500 |
| 14 | FTEs | 15.00 |

15 2. IOWA VETERANS HOME

16 For salaries, support, maintenance, and miscellaneous
17 purposes:

| | | |
|----------|----|-----------|
| 18 | \$ | 7,162,976 |
|----------|----|-----------|

19 a. The Iowa veterans home billings involving the department
20 of human services shall be submitted to the department on at

21 least a monthly basis.

22 b. Within available resources and in conformance with
23 associated state and federal program eligibility requirements,
24 the Iowa veterans home may implement measures to provide
25 financial assistance to or on behalf of veterans or their
26 spouses who are participating in the community reentry program.

27 c. The Iowa veterans home expenditure report shall be
28 submitted monthly to the legislative services agency.

29 d. The Iowa veterans home shall continue to include in the
30 annual discharge report applicant information to provide for
31 the collection of demographic information including but not
32 limited to the number of individuals applying for admission and
33 admitted or denied admittance and the basis for the admission
34 or denial; the age, gender, and race of such individuals;
35 and the level of care for which such individuals applied for

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1 admission including residential or nursing level of care.

2 3. HOME OWNERSHIP ASSISTANCE PROGRAM

3 For transfer to the Iowa finance authority for the
4 continuation of the home ownership assistance program for
5 persons who are or were eligible members of the armed forces of
6 the United States, pursuant to section 16.54:

7 \$ 2,000,000

8 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS

9 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
10 appropriation in section 35A.16 for the fiscal year beginning
11 July 1, 2019, and ending June 30, 2020, the amount appropriated
12 from the general fund of the state pursuant to that section
13 for the following designated purposes shall not exceed the
14 following amount:

15 For the county commissions of veteran affairs fund under
16 section 35A.16:

17 \$ 990,000

18 DIVISION V

19 DEPARTMENT OF HUMAN SERVICES — FY 2019–2020

20 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

21 GRANT. There is appropriated from the fund created in section
22 8.41 to the department of human services for the fiscal year
23 beginning July 1, 2019, and ending June 30, 2020, from moneys
24 received under the federal temporary assistance for needy
25 families (TANF) block grant pursuant to the federal Personal
26 Responsibility and Work Opportunity Reconciliation Act of 1996,
27 Pub. L. No. 104-193, and successor legislation, the following
28 amounts, or so much thereof as is necessary, to be used for the
29 purposes designated:

30 1. To be credited to the family investment program account
31 and used for assistance under the family investment program
32 under chapter 239B:

33 \$ 4,524,006

34 2. To be credited to the family investment program account

35 and used for the job opportunities and basic skills (JOBS)

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1 program and implementing family investment agreements in
2 accordance with chapter 239B:
3 \$ 5,412,060
4 3. To be used for the family development and
5 self-sufficiency grant program in accordance with section
6 216A.107:
7 \$ 2,898,980
8 Notwithstanding section 8.33, moneys appropriated in this
9 subsection that remain unencumbered or unobligated at the close
10 of the fiscal year shall not revert but shall remain available
11 for expenditure for the purposes designated until the close of
12 the succeeding fiscal year. However, unless such moneys are
13 encumbered or obligated on or before September 30, 2020, the
14 moneys shall revert.
15 4. For field operations:
16 \$ 31,296,232
17 5. For general administration:
18 \$ 3,744,000
19 6. For state child care assistance:
20 \$ 47,166,826
21 a. Of the funds appropriated in this subsection,
22 \$26,205,412 is transferred to the child care and development
23 block grant appropriation made by the Eighty-eighth General
24 Assembly, 2019 session, for the federal fiscal year beginning
25 October 1, 2019, and ending September 30, 2020. Of this
26 amount, \$200,000 shall be used for provision of educational
27 opportunities to registered child care home providers in order
28 to improve services and programs offered by this category
29 of providers and to increase the number of providers. The
30 department may contract with institutions of higher education
31 or child care resource and referral centers to provide
32 the educational opportunities. Allowable administrative
33 costs under the contracts shall not exceed 5 percent. The
34 application for a grant shall not exceed two pages in length.
35 b. Any funds appropriated in this subsection remaining

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1 unallocated shall be used for state child care assistance
2 payments for families who are employed including but not
3 limited to individuals enrolled in the family investment
4 program.
5 7. For child and family services:
6 \$ 32,380,654
7 8. For child abuse prevention grants:
8 \$ 125,000
9 9. For pregnancy prevention grants on the condition that
10 family planning services are funded:

11 \$ 1,913,203
 12 Pregnancy prevention grants shall be awarded to programs
 13 in existence on or before July 1, 2019, if the programs have
 14 demonstrated positive outcomes. Grants shall be awarded to
 15 pregnancy prevention programs which are developed after July
 16 1, 2019, if the programs are based on existing models that
 17 have demonstrated positive outcomes. Grants shall comply with
 18 the requirements provided in 1997 Iowa Acts, chapter 208,
 19 section 14, subsections 1 and 2, including the requirement that
 20 grant programs must emphasize sexual abstinence. Priority in
 21 the awarding of grants shall be given to programs that serve
 22 areas of the state which demonstrate the highest percentage of
 23 unplanned pregnancies of females of childbearing age within the
 24 geographic area to be served by the grant.
 25 10. For technology needs and other resources necessary
 26 to meet federal welfare reform reporting, tracking, and case
 27 management requirements:
 28 \$ 1,037,186
 29 11. a. Notwithstanding any provision to the contrary,
 30 including but not limited to requirements in section 8.41 or
 31 provisions in 2018 Iowa Acts or 2019 Iowa Acts regarding the
 32 receipt and appropriation of federal block grants, federal
 33 funds from the temporary assistance for needy families block
 34 grant received by the state and not otherwise appropriated
 35 in this section and remaining available for the fiscal year

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1 beginning July 1, 2019, are appropriated to the department of
 2 human services to the extent as may be necessary to be used in
 3 the following priority order: the family investment program,
 4 for state child care assistance program payments for families
 5 who are employed, and for the family investment program share
 6 of system costs for eligibility determination and related
 7 functions. The federal funds appropriated in this paragraph
 8 "a" shall be expended only after all other funds appropriated
 9 in subsection 1 for assistance under the family investment
 10 program, in subsection 6 for state child care assistance, or
 11 in subsection 10 for technology costs related to the family
 12 investment program, as applicable, have been expended. For
 13 the purposes of this subsection, the funds appropriated in
 14 subsection 6, paragraph "a", for transfer to the child care
 15 and development block grant appropriation are considered fully
 16 expended when the full amount has been transferred.
 17 b. The department shall, on a quarterly basis, advise the
 18 legislative services agency and department of management of
 19 the amount of funds appropriated in this subsection that was
 20 expended in the prior quarter.
 21 12. Of the amounts appropriated in this section,
 22 \$12,962,008 for the fiscal year beginning July 1, 2019, is
 23 transferred to the appropriation of the federal social services
 24 block grant made to the department of human services for that

25 fiscal year.
26 13. For continuation of the program providing categorical
27 eligibility for the food assistance program as specified
28 for the program in the section of this division of this Act
29 relating to the family investment program account:
30 \$ 14,236
31 14. The department may transfer funds allocated in this
32 section to the appropriations made in this division of this Act
33 for the same fiscal year for general administration and field
34 operations for resources necessary to implement and operate the
35 services referred to in this section and those funded in the

Page 21

1 appropriation made in this division of this Act for the same
2 fiscal year for the family investment program from the general
3 fund of the state.
4 15. With the exception of moneys allocated under this
5 section for the family development and self-sufficiency grant
6 program, to the extent moneys allocated in this section are
7 deemed by the department not to be necessary to support the
8 purposes for which they are allocated, such moneys may be
9 used in the same fiscal year for any other purpose for which
10 funds are allocated in this section or in section 8 of this
11 division for the family investment program account. If there
12 are conflicting needs, priority shall first be given to the
13 family investment program account as specified under subsection
14 1 of this section and used for the purposes of assistance under
15 the family investment program in accordance with chapter 239B,
16 followed by state child care assistance program payments for
17 families who are employed, followed by other priorities as
18 specified by the department.
19 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
20 1. Moneys credited to the family investment program (FIP)
21 account for the fiscal year beginning July 1, 2019, and
22 ending June 30, 2020, shall be used to provide assistance in
23 accordance with chapter 239B.
24 2. The department may use a portion of the moneys credited
25 to the FIP account under this section as necessary for
26 salaries, support, maintenance, and miscellaneous purposes.
27 3. The department may transfer funds allocated in
28 subsection 4, excluding the allocation under subsection 4,
29 paragraph “b”, to the appropriations made in this division of
30 this Act for the same fiscal year for general administration
31 and field operations for resources necessary to implement
32 and operate the services referred to in this section and
33 those funded in the appropriations made in section 7 for the
34 temporary assistance for needy families block grant and in
35 section 9 for the family investment program from the general

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1 fund of the state in this division of this Act for the same
 2 fiscal year.

3 4. Moneys appropriated in this division of this Act and
 4 credited to the FIP account for the fiscal year beginning July
 5 1, 2019, and ending June 30, 2020, are allocated as follows:

6 a. To be retained by the department of human services to
 7 be used for coordinating with the department of human rights
 8 to more effectively serve participants in FIP and other shared
 9 clients and to meet federal reporting requirements under the
 10 federal temporary assistance for needy families block grant:

11 \$ 20,000

12 b. To the department of human rights for staffing,
 13 administration, and implementation of the family development
 14 and self-sufficiency grant program in accordance with section
 15 216A.107:

16 \$ 6,192,834

17 (1) Of the funds allocated for the family development
 18 and self-sufficiency grant program in this paragraph “b”,
 19 not more than 5 percent of the funds shall be used for the
 20 administration of the grant program.

21 (2) The department of human rights may continue to implement
 22 the family development and self-sufficiency grant program
 23 statewide during fiscal year 2019-2020.

24 (3) The department of human rights may engage in activities
 25 to strengthen and improve family outcomes measures and
 26 data collection systems under the family development and
 27 self-sufficiency grant program.

28 c. For the diversion subaccount of the FIP account:

29 \$ 815,000

30 A portion of the moneys allocated for the diversion
 31 subaccount may be used for field operations, salaries, data
 32 management system development, and implementation costs and
 33 support deemed necessary by the director of human services
 34 in order to administer the FIP diversion program. To the
 35 extent moneys allocated in this paragraph “c” are deemed by the

Page 23

1 department not be necessary to support diversion activities,
 2 such moneys may be used for other efforts intended to increase
 3 engagement by family investment program participants in work,
 4 education, or training activities, or for the purposes of
 5 assistance under the family investment program in accordance
 6 with chapter 239B.

7 d. For the food assistance employment and training program:

8 \$ 66,588

9 (1) The department shall apply the federal supplemental
 10 nutrition assistance program (SNAP) employment and training
 11 state plan in order to maximize to the fullest extent permitted
 12 by federal law the use of the 50 percent federal reimbursement

13 provisions for the claiming of allowable federal reimbursement
14 funds from the United States department of agriculture
15 pursuant to the federal SNAP employment and training program
16 for providing education, employment, and training services
17 for eligible food assistance program participants, including
18 but not limited to related dependent care and transportation
19 expenses.

20 (2) The department shall continue the categorical federal
21 food assistance program eligibility at 160 percent of the
22 federal poverty level and continue to eliminate the asset test
23 from eligibility requirements, consistent with federal food
24 assistance program requirements. The department shall include
25 as many food assistance households as is allowed by federal
26 law. The eligibility provisions shall conform to all federal
27 requirements including requirements addressing individuals who
28 are incarcerated or otherwise ineligible.

29 e. For the JOBS program:

30 \$ 12,018,258

31 5. Of the child support collections assigned under FIP,
32 an amount equal to the federal share of support collections
33 shall be credited to the child support recovery appropriation
34 made in this division of this Act. Of the remainder of the
35 assigned child support collections received by the child

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1 support recovery unit, a portion shall be credited to the FIP
2 account, a portion may be used to increase recoveries, and a
3 portion may be used to sustain cash flow in the child support
4 payments account. If as a consequence of the appropriations
5 and allocations made in this section the resulting amounts
6 are insufficient to sustain cash assistance payments and meet
7 federal maintenance of effort requirements, the department
8 shall seek supplemental funding. If child support collections
9 assigned under FIP are greater than estimated or are otherwise
10 determined not to be required for maintenance of effort, the
11 state share of either amount may be transferred to or retained
12 in the child support payments account.

13 6. The department may adopt emergency rules for the family
14 investment, JOBS, food assistance, and medical assistance
15 programs if necessary to comply with federal requirements.

16 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
17 is appropriated from the general fund of the state to the
18 department of human services for the fiscal year beginning July
19 1, 2019, and ending June 30, 2020, the following amount, or
20 so much thereof as is necessary, to be used for the purpose
21 designated:

22 To be credited to the family investment program (FIP)
23 account and used for family investment program assistance under
24 chapter 239B:

25 \$ 40,365,037

26 1. Of the funds appropriated in this section, \$6,606,198 is

27 allocated for the JOBS program.

28 2. Of the funds appropriated in this section, \$3,313,854 is
29 allocated for the family development and self-sufficiency grant
30 program.

31 3. a. Notwithstanding section 8.39, for the fiscal
32 year beginning July 1, 2019, if necessary to meet federal
33 maintenance of effort requirements or to transfer federal
34 temporary assistance for needy families block grant funding
35 to be used for purposes of the federal social services block

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1 grant or to meet cash flow needs resulting from delays in
2 receiving federal funding or to implement, in accordance with
3 this division of this Act, activities currently funded with
4 juvenile court services, county, or community moneys and state
5 moneys used in combination with such moneys; to comply with
6 federal requirements; or to maximize the use of federal funds;
7 the department of human services may transfer funds within or
8 between any of the appropriations made in this division of this
9 Act and appropriations in law for the federal social services
10 block grant to the department for the following purposes,
11 provided that the combined amount of state and federal
12 temporary assistance for needy families block grant funding
13 for each appropriation remains the same before and after the
14 transfer:

15 (1) For the family investment program.

16 (2) For state child care assistance.

17 (3) For child and family services.

18 (4) For field operations.

19 (5) For general administration.

20 b. This subsection shall not be construed to prohibit the
21 use of existing state transfer authority for other purposes.

22 The department shall report any transfers made pursuant to this
23 subsection to the legislative services agency.

24 4. Of the funds appropriated in this section, \$195,000 shall
25 be used for continuation of a grant to an Iowa-based nonprofit
26 organization with a history of providing tax preparation
27 assistance to low-income Iowans in order to expand the usage
28 of the earned income tax credit. The purpose of the grant is
29 to supply this assistance to underserved areas of the state.
30 However, the department shall issue a request for proposals and
31 execute a contract with the contractor selected to administer
32 the program no later than January 1, 2020. The department
33 shall not retain any portion of the allocation under this
34 subsection for administrative costs.

35 5. Of the funds appropriated in this section, \$70,000 shall

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1 be used for the continuation of the parenting program, as
2 specified in 441 IAC ch. 100, relating to parental obligations,
3 in which the child support recovery unit participates, to
4 support the efforts of a nonprofit organization committed
5 to strengthening the community through youth development,
6 healthy living, and social responsibility headquartered in
7 a county with a population over 350,000 according to the
8 latest certified federal census. The funds allocated in this
9 subsection shall be used by the recipient organization to
10 develop a larger community effort, through public and private
11 partnerships, to support a broad-based multi-county parenthood
12 initiative that promotes payment of child support obligations,
13 improved family relationships, and full-time employment.

14 6. The department may transfer funds appropriated in this
15 section, excluding the allocation in subsection 2 for the
16 family development and self-sufficiency grant program, to the
17 appropriations made in this division of this Act for general
18 administration and field operations as necessary to administer
19 this section, section 7 for the temporary assistance for needy
20 families block grant, and section 8 for the family investment
21 program account.

22 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
23 from the general fund of the state to the department of human
24 services for the fiscal year beginning July 1, 2019, and ending
25 June 30, 2020, the following amount, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 For child support recovery, including salaries, support,
28 maintenance, and miscellaneous purposes, and for not more than
29 the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 30 | \$ | 14,749,368 |
| 31 | FTEs | 459.00 |

32 1. The department shall expend up to \$24,000, including
33 federal financial participation, for the fiscal year beginning
34 July 1, 2019, for a child support public awareness campaign.
35 The department and the office of the attorney general shall

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1 cooperate in continuation of the campaign. The public
2 awareness campaign shall emphasize, through a variety of
3 media activities, the importance of maximum involvement of
4 both parents in the lives of their children as well as the
5 importance of payment of child support obligations.

6 2. Federal access and visitation grant moneys shall be
7 issued directly to private not-for-profit agencies that provide
8 services designed to increase compliance with the child access
9 provisions of court orders, including but not limited to
10 neutral visitation sites and mediation services.

11 3. The appropriation made to the department for child
12 support recovery may be used throughout the fiscal year in the

13 manner necessary for purposes of cash flow management, and for
 14 cash flow management purposes the department may temporarily
 15 draw more than the amount appropriated, provided the amount
 16 appropriated is not exceeded at the close of the fiscal year.

17 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
 18 FY 2019–2020. Any funds remaining in the health care trust
 19 fund created in section 453A.35A for the fiscal year beginning
 20 July 1, 2019, and ending June 30, 2020, are appropriated to
 21 the department of human services to supplement the medical
 22 assistance program appropriations made in this division of this
 23 Act, for medical assistance reimbursement and associated costs,
 24 including program administration and costs associated with
 25 program implementation.

26 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
 27 2019–2020. Any funds remaining in the Medicaid fraud fund
 28 created in section 249A.50 for the fiscal year beginning
 29 July 1, 2019, and ending June 30, 2020, are appropriated to
 30 the department of human services to supplement the medical
 31 assistance appropriations made in this division of this Act,
 32 for medical assistance reimbursement and associated costs,
 33 including program administration and costs associated with
 34 program implementation.

35 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the

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1 general fund of the state to the department of human services
 2 for the fiscal year beginning July 1, 2019, and ending June 30,
 3 2020, the following amount, or so much thereof as is necessary,
 4 to be used for the purpose designated:

5 For medical assistance program reimbursement and associated
 6 costs as specifically provided in the reimbursement
 7 methodologies in effect on June 30, 2019, except as otherwise
 8 expressly authorized by law, consistent with options under
 9 federal law and regulations, and contingent upon receipt of
 10 approval from the office of the governor of reimbursement for
 11 each abortion performed under the program:

12 \$ 1,427,379,707

13 1. Iowans support reducing the number of abortions
 14 performed in our state. Funds appropriated under this section
 15 shall not be used for abortions, unless otherwise authorized
 16 under this section.

17 2. The provisions of this section relating to abortions
 18 shall also apply to the Iowa health and wellness plan created
 19 pursuant to chapter 249N.

20 3. The department shall utilize not more than \$60,000 of
 21 the funds appropriated in this section to continue the AIDS/HIV
 22 health insurance premium payment program as established in 1992
 23 Iowa Acts, Second Extraordinary Session, chapter 1001, section
 24 409, subsection 6. Of the funds allocated in this subsection,
 25 not more than \$5,000 may be expended for administrative
 26 purposes.

27 4. Of the funds appropriated in this Act to the department
28 of public health for addictive disorders, \$950,000 for
29 the fiscal year beginning July 1, 2019, is transferred
30 to the department of human services for an integrated
31 substance-related disorder managed care system. The
32 departments of human services and public health shall
33 work together to maintain the level of mental health and
34 substance-related disorder treatment services provided by the
35 managed care contractors. Each department shall take the steps

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1 necessary to continue the federal waivers as necessary to
2 maintain the level of services.
3 5.a. The department shall aggressively pursue options for
4 providing medical assistance or other assistance to individuals
5 with special needs who become ineligible to continue receiving
6 services under the early and periodic screening, diagnostic,
7 and treatment program under the medical assistance program
8 due to becoming 21 years of age who have been approved for
9 additional assistance through the department's exception to
10 policy provisions, but who have health care needs in excess
11 of the funding available through the exception to policy
12 provisions.

13 b. Of the funds appropriated in this section, \$100,000
14 shall be used for participation in one or more pilot projects
15 operated by a private provider to allow the individual or
16 individuals to receive service in the community in accordance
17 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
18 (1999), for the purpose of providing medical assistance or
19 other assistance to individuals with special needs who become
20 ineligible to continue receiving services under the early and
21 periodic screening, diagnostic, and treatment program under
22 the medical assistance program due to becoming 21 years of
23 age who have been approved for additional assistance through
24 the department's exception to policy provisions, but who have
25 health care needs in excess of the funding available through
26 the exception to the policy provisions.

27 6. Of the funds appropriated in this section, up to
28 \$3,050,082 may be transferred to the field operations or
29 general administration appropriations in this division of this
30 Act for operational costs associated with Part D of the federal
31 Medicare Prescription Drug Improvement and Modernization Act
32 of 2003, Pub. L. No. 108-173.

33 7. Of the funds appropriated in this section, up to \$442,100
34 may be transferred to the appropriation in this division
35 of this Act for medical contracts to be used for clinical

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1 assessment services and prior authorization of services.
2 8. A portion of the funds appropriated in this section
3 may be transferred to the appropriations in this division of
4 this Act for general administration, medical contracts, the
5 children's health insurance program, or field operations to be
6 used for the state match cost to comply with the payment error
7 rate measurement (PERM) program for both the medical assistance
8 and children's health insurance programs as developed by the
9 centers for Medicare and Medicaid services of the United States
10 department of health and human services to comply with the
11 federal Improper Payments Information Act of 2002, Pub. L.
12 No. 107-300, and to support other reviews and quality control
13 activities to improve the integrity of these programs.

14 9. The department shall continue to implement the
15 recommendations of the assuring better child health and
16 development initiative II (ABCDII) clinical panel to the
17 Iowa early and periodic screening, diagnostic, and treatment
18 services healthy mental development collaborative board
19 regarding changes to billing procedures, codes, and eligible
20 service providers.

21 10. Of the funds appropriated in this section, a sufficient
22 amount is allocated to supplement the incomes of residents of
23 nursing facilities, intermediate care facilities for persons
24 with mental illness, and intermediate care facilities for
25 persons with an intellectual disability, with incomes of less
26 than \$50 in the amount necessary for the residents to receive a
27 personal needs allowance of \$50 per month pursuant to section
28 249A.30A.

29 11.a. Hospitals that meet the conditions specified
30 in subparagraphs (1) and (2) shall either certify public
31 expenditures or transfer to the medical assistance program
32 an amount equal to provide the nonfederal share for a
33 disproportionate share hospital payment in an amount up to the
34 hospital-specific limit as approved in the Medicaid state plan.
35 The hospitals that meet the conditions specified shall receive

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1 and retain 100 percent of the total disproportionate share
2 hospital payment in an amount up to the hospital-specific limit
3 as approved in the Medicaid state plan.

4 (1) The hospital qualifies for disproportionate share and
5 graduate medical education payments.

6 (2) The hospital is an Iowa state-owned hospital with more
7 than 500 beds and eight or more distinct residency specialty
8 or subspecialty programs recognized by the American college of
9 graduate medical education.

10 b. Distribution of the disproportionate share payments
11 shall be made on a monthly basis. The total amount of
12 disproportionate share payments including graduate medical

13 education, enhanced disproportionate share, and Iowa
14 state-owned teaching hospital payments shall not exceed the
15 amount of the state's allotment under Pub. L. No. 102-234.
16 In addition, the total amount of all disproportionate
17 share payments shall not exceed the hospital-specific
18 disproportionate share limits under Pub. L. No. 103-66.
19 12. One hundred percent of the nonfederal share of payments
20 to area education agencies that are medical assistance
21 providers for medical assistance-covered services provided to
22 medical assistance-covered children, shall be made from the
23 appropriation made in this section.
24 13. A portion of the funds appropriated in this section
25 may be transferred to the appropriation in this division of
26 this Act for medical contracts to be used for administrative
27 activities associated with the money follows the person
28 demonstration project.
29 14. Of the funds appropriated in this section, \$349,011
30 shall be used for the administration of the health insurance
31 premium payment program, including salaries, support,
32 maintenance, and miscellaneous purposes.
33 15.a. The department may increase the amounts allocated
34 for salaries, support, maintenance, and miscellaneous purposes
35 associated with the medical assistance program, as necessary,

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1 to sustain cost management efforts. The department shall
2 report any such increase to the legislative services agency and
3 the department of management.
4 b. If the savings to the medical assistance program from
5 ongoing cost management efforts exceed the associated cost
6 for the fiscal year beginning July 1, 2019, the department
7 may transfer any savings generated for the fiscal year due
8 to medical assistance program cost management efforts to the
9 appropriation made in this division of this Act for medical
10 contracts or general administration to defray the costs
11 associated with implementing the efforts.
12 16. For the fiscal year beginning July 1, 2019, and ending
13 June 30, 2020, the replacement generation tax revenues required
14 to be deposited in the property tax relief fund pursuant to
15 section 437A.8, subsection 4, paragraph "d", and section
16 437A.15, subsection 3, paragraph "f", shall instead be credited
17 to and supplement the appropriation made in this section and
18 used for the allocations made in this section.
19 17.a. Of the funds appropriated in this section, up
20 to \$50,000 may be transferred by the department to the
21 appropriation made in this division of this Act to the
22 department for the same fiscal year for general administration
23 to be used for associated administrative expenses and for not
24 more than one full-time equivalent position, in addition to
25 those authorized for the same fiscal year, to be assigned to
26 implementing the children's mental health home project.

- 27 b. Of the funds appropriated in this section, up to \$400,000
28 may be transferred by the department to the appropriation made
29 to the department in this division of this Act for the same
30 fiscal year for Medicaid program-related general administration
31 planning and implementation activities. The funds may be used
32 for contracts or for personnel in addition to the amounts
33 appropriated for and the positions authorized for general
34 administration for the fiscal year.
- 35 c. Of the funds appropriated in this section, up to

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- 1 \$3,000,000 may be transferred by the department to the
2 appropriations made in this division of this Act for the same
3 fiscal year for general administration or medical contracts
4 to be used to support the development and implementation of
5 standardized assessment tools for persons with mental illness,
6 an intellectual disability, a developmental disability, or a
7 brain injury.
- 8 18. Of the funds appropriated in this section, \$150,000
9 shall be used for lodging expenses associated with care
10 provided at the university of Iowa hospitals and clinics for
11 patients with cancer whose travel distance is 30 miles or more
12 and whose income is at or below 200 percent of the federal
13 poverty level as defined by the most recently revised poverty
14 income guidelines published by the United States department of
15 health and human services. The department of human services
16 shall establish the maximum number of overnight stays and the
17 maximum rate reimbursed for overnight lodging, which may be
18 based on the state employee rate established by the department
19 of administrative services. The funds allocated in this
20 subsection shall not be used as nonfederal share matching
21 funds.
- 22 19. Of the funds appropriated in this section, up to
23 \$3,383,880 shall be used for administration of the state family
24 planning services program pursuant to section 217.41B, and
25 of this amount, the department may use up to \$200,000 for
26 administrative expenses.
- 27 20. Of the funds appropriated in this section, \$1,545,530
28 shall be used and may be transferred to other appropriations
29 in this division of this Act as necessary to administer the
30 provisions in the division of this Act relating to Medicaid
31 program administration.
- 32 21. The department shall continue to implement and
33 administer the provisions of 2018 Iowa Acts, chapter 1056.
34 Of the funds appropriated in this section, up to \$39,069 may
35 be transferred to the department of inspections and appeals

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1 for inspection costs related to such implementation and
2 administration.

3 22. Of the funds appropriated in this section, up to
4 \$1,200,000 shall be used to implement reductions in the waiting
5 list for the children's mental health home and community-based
6 services waiver.

7 23. Of the funds appropriated in this section, \$1,500,000
8 shall be used to provide reimbursement to critical access
9 hospitals for inpatient and outpatient services based on
10 a critical access hospital adjustment factor methodology
11 developed by the department as provided in this division of
12 this Act.

13 24. The department of human services shall utilize
14 \$1,000,000 of the funds appropriated under this section to
15 increase the current supported community living provider
16 daily rates for all tiers under the tiered rate reimbursement
17 methodology effective with dates of service beginning July
18 1, 2019. The funding amount shall be divided equally among
19 all tiers and applied within each tier in accordance with the
20 recommendations of the actuary. However, no resulting rates
21 shall be lower than the rates in effect on June 30, 2019.

22 Sec. 14. MEDICAL CONTRACTS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2019, and ending June 30,
25 2020, the following amount, or so much thereof as is necessary,
26 to be used for the purpose designated:

27 For medical contracts:
28 \$ 17,992,530

29 1. The department of inspections and appeals shall
30 provide all state matching funds for survey and certification
31 activities performed by the department of inspections
32 and appeals. The department of human services is solely
33 responsible for distributing the federal matching funds for
34 such activities.

35 2. Of the funds appropriated in this section, \$50,000 shall

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1 be used for continuation of home and community-based services
2 waiver quality assurance programs, including the review and
3 streamlining of processes and policies related to oversight and
4 quality management to meet state and federal requirements.

5 3. Of the amount appropriated in this section, up to
6 \$200,000 may be transferred to the appropriation for general
7 administration in this division of this Act to be used for
8 additional full-time equivalent positions in the development
9 of key health initiatives such as development and oversight
10 of managed care programs and development of health strategies
11 targeted toward improved quality and reduced costs in the
12 Medicaid program.

13 4. Of the funds appropriated in this section, \$1,000,000
 14 shall be used for planning and development, in cooperation with
 15 the department of public health, of a phased-in program to
 16 provide a dental home for children.

17 5.a. Of the funds appropriated in this section, \$573,000
 18 shall be credited to the autism support program fund created
 19 in section 225D.2 to be used for the autism support program
 20 created in chapter 225D, with the exception of the following
 21 amount of this allocation which shall be used as follows:

22 b. Of the funds allocated in this subsection, \$25,000 shall
 23 be used for the public purpose of continuation of a grant to a
 24 nonprofit provider of child welfare services that has been in
 25 existence for more than 115 years, is located in a county with
 26 a population between 200,000 and 220,000 according to the most
 27 recent federal decennial census, is licensed as a psychiatric
 28 medical institution for children, and provides school-based
 29 programming, to be used for support services for children with
 30 autism spectrum disorder and their families.

31 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

32 1. There is appropriated from the general fund of the
 33 state to the department of human services for the fiscal year
 34 beginning July 1, 2019, and ending June 30, 2020, the following
 35 amount, or so much thereof as is necessary, to be used for the

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1 purpose designated:

| | |
|---|--------------|
| 2 For the state supplementary assistance program: | |
| 3 | \$ 7,812,909 |

4 2. The department shall increase the personal needs
 5 allowance for residents of residential care facilities by the
 6 same percentage and at the same time as federal supplemental
 7 security income and federal social security benefits are
 8 increased due to a recognized increase in the cost of living.
 9 The department may adopt emergency rules to implement this
 10 subsection.

11 3. If during the fiscal year beginning July 1, 2019,
 12 the department projects that state supplementary assistance
 13 expenditures for a calendar year will not meet the federal
 14 pass-through requirement specified in Tit. XVI of the federal
 15 Social Security Act, section 1618, as codified in 42 U.S.C.
 16 §1382g, the department may take actions including but not
 17 limited to increasing the personal needs allowance for
 18 residential care facility residents and making programmatic
 19 adjustments or upward adjustments of the residential care
 20 facility or in-home health-related care reimbursement rates
 21 prescribed in this division of this Act to ensure that federal
 22 requirements are met. In addition, the department may make
 23 other programmatic and rate adjustments necessary to remain
 24 within the amount appropriated in this section while ensuring
 25 compliance with federal requirements. The department may adopt
 26 emergency rules to implement the provisions of this subsection.

27 4. Notwithstanding section 8.33, moneys appropriated in
28 this section that remain unencumbered or unobligated at the
29 close of the fiscal year shall not revert but shall remain
30 available for expenditure for the purposes designated until the
31 close of the succeeding fiscal year.
32 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.
33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2019, and ending June 30, 2020, the following

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1 amount, or so much thereof as is necessary, to be used for the
2 purpose designated:
3 For maintenance of the healthy and well kids in Iowa (hawk-i)
4 program pursuant to chapter 514I, including supplemental dental
5 services, for receipt of federal financial participation under
6 Tit. XXI of the federal Social Security Act, which creates the
7 children's health insurance program:
8 \$ 19,361,112
9 2. Of the funds appropriated in this section, \$79,486 is
10 allocated for continuation of the contract for outreach with
11 the department of public health.
12 3. A portion of the funds appropriated in this section may
13 be transferred to the appropriations made in this division of
14 this Act for field operations or medical contracts to be used
15 for the integration of hawk-i program eligibility, payment, and
16 administrative functions under the purview of the department
17 of human services, including for the Medicaid management
18 information system upgrade.
19 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
20 from the general fund of the state to the department of human
21 services for the fiscal year beginning July 1, 2019, and ending
22 June 30, 2020, the following amount, or so much thereof as is
23 necessary, to be used for the purpose designated:
24 For child care programs:
25 \$ 40,816,931
26 1. Of the funds appropriated in this section, \$34,966,931
27 shall be used for state child care assistance in accordance
28 with section 237A.13.
29 2. Nothing in this section shall be construed or is
30 intended as or shall imply a grant of entitlement for services
31 to persons who are eligible for assistance due to an income
32 level consistent with the waiting list requirements of section
33 237A.13. Any state obligation to provide services pursuant to
34 this section is limited to the extent of the funds appropriated
35 in this section.

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1 3. A list of the registered and licensed child care
2 facilities operating in the area served by a child care
3 resource and referral service shall be made available to the
4 families receiving state child care assistance in that area.
5 4. Of the funds appropriated in this section, \$5,850,000
6 shall be credited to the early childhood programs grants
7 account in the early childhood Iowa fund created in section
8 256I.11. The moneys shall be distributed for funding of
9 community-based early childhood programs targeted to children
10 from birth through five years of age developed by early
11 childhood Iowa areas in accordance with approved community
12 plans as provided in section 256I.8.
13 5. The department may use any of the funds appropriated
14 in this section as a match to obtain federal funds for use in
15 expanding child care assistance and related programs. For
16 the purpose of expenditures of state and federal child care
17 funding, funds shall be considered obligated at the time
18 expenditures are projected or are allocated to the department's
19 service areas. Projections shall be based on current and
20 projected caseload growth, current and projected provider
21 rates, staffing requirements for eligibility determination
22 and management of program requirements including data systems
23 management, staffing requirements for administration of the
24 program, contractual and grant obligations and any transfers
25 to other state agencies, and obligations for decategorization
26 or innovation projects.
27 6. A portion of the state match for the federal child care
28 and development block grant shall be provided as necessary to
29 meet federal matching funds requirements through the state
30 general fund appropriation made for child development grants
31 and other programs for at-risk children in section 279.51.
32 7. If a uniform reduction ordered by the governor under
33 section 8.31 or other operation of law, transfer, or federal
34 funding reduction reduces the appropriation made in this
35 section for the fiscal year, the percentage reduction in the

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1 amount paid out to or on behalf of the families participating
2 in the state child care assistance program shall be equal to or
3 less than the percentage reduction made for any other purpose
4 payable from the appropriation made in this section and the
5 federal funding relating to it. The percentage reduction to
6 the other allocations made in this section shall be the same as
7 the uniform reduction ordered by the governor or the percentage
8 change of the federal funding reduction, as applicable. If
9 there is an unanticipated increase in federal funding provided
10 for state child care services, the entire amount of the
11 increase, except as necessary to meet federal requirements
12 including quality set asides, shall be used for state child

13 care assistance payments. If the appropriations made for
14 purposes of the state child care assistance program for the
15 fiscal year are determined to be insufficient, it is the intent
16 of the general assembly to appropriate sufficient funding for
17 the fiscal year in order to avoid establishment of waiting list
18 requirements.

19 8. Notwithstanding section 8.33, moneys advanced for
20 purposes of the programs developed by early childhood Iowa
21 areas, advanced for purposes of wraparound child care, or
22 received from the federal appropriations made for the purposes
23 of this section that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert to any fund but shall
25 remain available for expenditure for the purposes designated
26 until the close of the succeeding fiscal year.

27 Sec. 18. JUVENILE INSTITUTION. There is appropriated
28 from the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2019, and ending
30 June 30, 2020, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1.a. For operation of the state training school at Eldora
33 and for salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

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| | | | |
|---|-------|------|------------|
| 1 | | \$ | 13,920,757 |
| 2 | | FTEs | 207.00 |

3 b. Of the funds appropriated in this subsection, \$91,000
4 shall be used for distribution to licensed classroom teachers
5 at this and other institutions under the control of the
6 department of human services based upon the average student
7 yearly enrollment at each institution as determined by the
8 department.

9 c. The additional full-time equivalent positions authorized
10 in paragraph “a” shall include 1.00 youth services technician,
11 1.00 clinical supervisor, and 1.00 registered nurse, or
12 comparable additional, full-time equivalent positions.

13 2. A portion of the moneys appropriated in this section
14 shall be used by the state training school at Eldora for
15 grants for adolescent pregnancy prevention activities at the
16 institution in the fiscal year beginning July 1, 2019.

17 3. Of the funds appropriated in this subsection, \$212,000
18 shall be used by the state training school at Eldora for a
19 substance use disorder treatment program at the institution for
20 the fiscal year beginning July 1, 2019.

21 4. Notwithstanding section 8.33, moneys appropriated in
22 this section that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated until the
25 close of the succeeding fiscal year.

26 Sec. 19. CHILD AND FAMILY SERVICES.

27 1. There is appropriated from the general fund of the
28 state to the department of human services for the fiscal year
29 beginning July 1, 2019, and ending June 30, 2020, the following
30 amount, or so much thereof as is necessary, to be used for the
31 purpose designated:
32 For child and family services:
33 \$ 89,071,761
34 2. The department may transfer funds appropriated in this
35 section as necessary to pay the nonfederal costs of services

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1 reimbursed under the medical assistance program, state child
2 care assistance program, or the family investment program which
3 are provided to children who would otherwise receive services
4 paid under the appropriation in this section. The department
5 may transfer funds appropriated in this section to the
6 appropriations made in this division of this Act for general
7 administration and for field operations for resources necessary
8 to implement and operate the services funded in this section.
9 3.a. Of the funds appropriated in this section, up to
10 \$34,536,000 is allocated as the statewide expenditure target
11 under section 232.143 for group foster care maintenance and
12 services. If the department projects that such expenditures
13 for the fiscal year will be less than the target amount
14 allocated in this paragraph "a", the department may reallocate
15 the excess to provide additional funding for family foster
16 care, independent living, family safety, risk and permanency
17 services, shelter care, or the child welfare emergency services
18 addressed with the allocation for shelter care.
19 b. If at any time after September 30, 2019, annualization
20 of a service area's current expenditures indicates a service
21 area is at risk of exceeding its group foster care expenditure
22 target under section 232.143 by more than 5 percent, the
23 department and juvenile court services shall examine all
24 group foster care placements in that service area in order to
25 identify those which might be appropriate for termination.
26 In addition, any aftercare services believed to be needed
27 for the children whose placements may be terminated shall be
28 identified. The department and juvenile court services shall
29 initiate action to set dispositional review hearings for the
30 placements identified. In such a dispositional review hearing,
31 the juvenile court shall determine whether needed aftercare
32 services are available and whether termination of the placement
33 is in the best interest of the child and the community.
34 4. In accordance with the provisions of section 232.188,
35 the department shall continue the child welfare and juvenile

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1 justice funding initiative during fiscal year 2019-2020. Of
2 the funds appropriated in this section, \$1,717,000 is allocated
3 specifically for expenditure for fiscal year 2019-2020 through
4 the decategorization services funding pools and governance
5 boards established pursuant to section 232.188.
6 5. A portion of the funds appropriated in this section
7 may be used for emergency family assistance to provide other
8 resources required for a family participating in a family
9 preservation or reunification project or successor project to
10 stay together or to be reunified.
11 6. Of the funds appropriated in this section, a sufficient
12 amount is allocated for shelter care and the child welfare
13 emergency services contracting implemented to provide for or
14 prevent the need for shelter care.
15 7. Federal funds received by the state during the fiscal
16 year beginning July 1, 2019, as the result of the expenditure
17 of state funds appropriated during a previous state fiscal
18 year for a service or activity funded under this section are
19 appropriated to the department to be used as additional funding
20 for services and purposes provided for under this section.
21 Notwithstanding section 8.33, moneys received in accordance
22 with this subsection that remain unencumbered or unobligated at
23 the close of the fiscal year shall not revert to any fund but
24 shall remain available for the purposes designated until the
25 close of the succeeding fiscal year.
26 8. a. Of the funds appropriated in this section, up to
27 \$3,290,000 is allocated for the payment of the expenses of
28 court-ordered services provided to juveniles who are under the
29 supervision of juvenile court services, which expenses are a
30 charge upon the state pursuant to section 232.141, subsection
31 4. Of the amount allocated in this paragraph "a", up to
32 \$1,556,000 shall be made available to provide school-based
33 supervision of children adjudicated under chapter 232, of which
34 not more than \$15,000 may be used for the purpose of training.
35 A portion of the cost of each school-based liaison officer

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1 shall be paid by the school district or other funding source as
2 approved by the chief juvenile court officer.
3 b. Of the funds appropriated in this section, up to \$748,000
4 is allocated for the payment of the expenses of court-ordered
5 services provided to children who are under the supervision
6 of the department, which expenses are a charge upon the state
7 pursuant to section 232.141, subsection 4.
8 c. Notwithstanding section 232.141 or any other provision
9 of law to the contrary, the amounts allocated in this
10 subsection shall be distributed to the judicial districts
11 as determined by the state court administrator and to the
12 department's service areas as determined by the administrator

13 of the department of human services' division of child and
14 family services. The state court administrator and the
15 division administrator shall make the determination of the
16 distribution amounts on or before June 15, 2019.

17 d. Notwithstanding chapter 232 or any other provision of
18 law to the contrary, a district or juvenile court shall not
19 order any service which is a charge upon the state pursuant
20 to section 232.141 if there are insufficient court-ordered
21 services funds available in the district court or departmental
22 service area distribution amounts to pay for the service. The
23 chief juvenile court officer and the departmental service area
24 manager shall encourage use of the funds allocated in this
25 subsection such that there are sufficient funds to pay for
26 all court-related services during the entire year. The chief
27 juvenile court officers and departmental service area managers
28 shall attempt to anticipate potential surpluses and shortfalls
29 in the distribution amounts and shall cooperatively request the
30 state court administrator or division administrator to transfer
31 funds between the judicial districts' or departmental service
32 areas' distribution amounts as prudent.

33 e. Notwithstanding any provision of law to the contrary,
34 a district or juvenile court shall not order a county to pay
35 for any service provided to a juvenile pursuant to an order

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1 entered under chapter 232 which is a charge upon the state
2 under section 232.141, subsection 4.

3 f. Of the funds allocated in this subsection, not more than
4 \$83,000 may be used by the judicial branch for administration
5 of the requirements under this subsection.

6 g. Of the funds allocated in this subsection, \$17,000
7 shall be used by the department of human services to support
8 the interstate commission for juveniles in accordance with
9 the interstate compact for juveniles as provided in section
10 232.173.

11 9. Of the funds appropriated in this section, \$12,253,000 is
12 allocated for juvenile delinquent graduated sanctions services.
13 Any state funds saved as a result of efforts by juvenile court
14 services to earn a federal Tit. IV-E match for juvenile court
15 services administration may be used for the juvenile delinquent
16 graduated sanctions services.

17 10. Of the funds appropriated in this section, \$1,658,000 is
18 transferred to the department of public health to be used for
19 the child protection center grant program for child protection
20 centers located in Iowa in accordance with section 135.118.
21 The grant amounts under the program shall be equalized so that
22 each center receives a uniform base amount of \$245,000, and so
23 that the remaining funds are awarded through a funding formula
24 based upon the volume of children served. To increase access
25 to child protection center services for children in rural
26 areas, the funding formula for the awarding of the remaining

27 funds shall provide for the awarding of an enhanced amount to
28 eligible grantees to develop and maintain satellite centers in
29 underserved regions of the state.

30 11. Of the funds appropriated in this section, \$4,025,000 is
31 allocated for the preparation for adult living program pursuant
32 to section 234.46.

33 12. Of the funds appropriated in this section, \$227,000
34 shall be used for the public purpose of continuing a grant to a
35 nonprofit human services organization, providing services to

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1 individuals and families in multiple locations in southwest
2 Iowa and Nebraska for support of a project providing immediate,
3 sensitive support and forensic interviews, medical exams, needs
4 assessments, and referrals for victims of child abuse and their
5 nonoffending family members.

6 13. Of the funds appropriated in this section, \$300,000
7 is allocated for the foster care youth council approach of
8 providing a support network to children placed in foster care.

9 14. Of the funds appropriated in this section, \$202,000 is
10 allocated for use pursuant to section 235A.1 for continuation
11 of the initiative to address child sexual abuse implemented
12 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
13 21.

14 15. Of the funds appropriated in this section, \$630,000 is
15 allocated for the community partnership for child protection
16 sites.

17 16. Of the funds appropriated in this section, \$371,000
18 is allocated for the department's minority youth and family
19 projects under the redesign of the child welfare system.

20 17. Of the funds appropriated in this section, \$851,000
21 is allocated for funding of the community circle of care
22 collaboration for children and youth in northeast Iowa.

23 18. Of the funds appropriated in this section, at least
24 \$147,000 shall be used for the continuation of the child
25 welfare provider training academy, a collaboration between the
26 coalition for family and children's services in Iowa and the
27 department.

28 19. Of the funds appropriated in this section, \$211,000
29 shall be used for continuation of the central Iowa system of
30 care program grant through June 30, 2020.

31 20. Of the funds appropriated in this section, \$235,000
32 shall be used for the public purpose of the continuation
33 and expansion of a system of care program grant implemented
34 in Cerro Gordo and Linn counties to utilize a comprehensive
35 and long-term approach for helping children and families by

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1 addressing the key areas in a child's life of childhood basic
 2 needs, education and work, family, and community.
 3 21. Of the funds appropriated in this section, at least
 4 \$25,000 shall be used to continue and to expand the foster
 5 care respite pilot program in which postsecondary students in
 6 social work and other human services-related programs receive
 7 experience by assisting family foster care providers with
 8 respite and other support.

9 22. Of the funds appropriated in this section, \$110,000
 10 shall be used for the public purpose of funding community-based
 11 services and other supports with a system of care approach
 12 for children with a serious emotional disturbance and their
 13 families through a nonprofit provider of child welfare services
 14 that has been in existence for more than 115 years, is located
 15 in a county with a population of more than 200,000 but less
 16 than 220,000 according to the latest certified federal census,
 17 is licensed as a psychiatric medical institution for children,
 18 and was a system of care grantee prior to July 1, 2019.

19 23. If a separate funding source is identified that reduces
 20 the need for state funds within an allocation under this
 21 section, the allocated state funds may be redistributed to
 22 other allocations under this section for the same fiscal year.

23 Sec. 20. ADOPTION SUBSIDY.

24 1. There is appropriated from the general fund of the
 25 state to the department of human services for the fiscal year
 26 beginning July 1, 2019, and ending June 30, 2020, the following
 27 amount, or so much thereof as is necessary, to be used for the
 28 purpose designated:

29 a. For adoption subsidy payments and services:

30 \$ 40,596,007

31 b. (1) The funds appropriated in this section shall be used
 32 as authorized or allowed by federal law or regulation for any
 33 of the following purposes:

34 (a) For adoption subsidy payments and related costs.

35 (b) For post-adoption services and for other purposes under

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1 Tit. IV-B or Tit. IV-E of the federal Social Security Act.

2 (2) The department of human services may transfer funds
 3 appropriated in this subsection to the appropriation for
 4 child and family services in this Act for the purposes of
 5 post-adoption services as specified in this paragraph "b".

6 c. Notwithstanding section 8.33, moneys corresponding to
 7 the state savings resulting from implementation of the federal
 8 Fostering Connections to Success and Increasing Adoptions Act
 9 of 2008, Pub. L. No. 110-351, and successor legislation, as
 10 determined in accordance with 42 U.S.C. §673(a)(8), that remain
 11 unencumbered or unobligated at the close of the fiscal year,
 12 shall not revert to any fund but shall remain available for the

13 purposes designated in this subsection until expended. The
14 amount of such savings and any corresponding funds remaining
15 at the close of the fiscal year shall be determined separately
16 and any changes in either amount between fiscal years shall not
17 result in an unfunded need.

18 2. The department may transfer funds appropriated in
19 this section to the appropriation made in this division of
20 this Act for general administration for costs paid from the
21 appropriation relating to adoption subsidy.

22 3. Federal funds received by the state during the
23 fiscal year beginning July 1, 2019, as the result of the
24 expenditure of state funds during a previous state fiscal
25 year for a service or activity funded under this section are
26 appropriated to the department to be used as additional funding
27 for the services and activities funded under this section.
28 Notwithstanding section 8.33, moneys received in accordance
29 with this subsection that remain unencumbered or unobligated
30 at the close of the fiscal year shall not revert to any fund
31 but shall remain available for expenditure for the purposes
32 designated until the close of the succeeding fiscal year.

33 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
34 in the juvenile detention home fund created in section 232.142
35 during the fiscal year beginning July 1, 2019, and ending June

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1 30, 2020, are appropriated to the department of human services
2 for the fiscal year beginning July 1, 2019, and ending June 30,
3 2020, for distribution of an amount equal to a percentage of
4 the costs of the establishment, improvement, operation, and
5 maintenance of county or multicounty juvenile detention homes
6 in the fiscal year beginning July 1, 2018. Moneys appropriated
7 for distribution in accordance with this section shall be
8 allocated among eligible detention homes, prorated on the basis
9 of an eligible detention home's proportion of the costs of all
10 eligible detention homes in the fiscal year beginning July
11 1, 2018. The percentage figure shall be determined by the
12 department based on the amount available for distribution for
13 the fund. Notwithstanding section 232.142, subsection 3, the
14 financial aid payable by the state under that provision for the
15 fiscal year beginning July 1, 2019, shall be limited to the
16 amount appropriated for the purposes of this section.

17 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2019, and ending June 30, 2020, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

| | |
|--|------------|
| 23 For the family support subsidy program subject to the | |
| 24 enrollment restrictions in section 225C.37, subsection 3: | |
| 25 | \$ 949,282 |
| 26 2. At least \$819,275 of the moneys appropriated in this | |

27 section is transferred to the department of public health for
 28 the family support center component of the comprehensive family
 29 support program under chapter 225C, subchapter V.
 30 3. If at any time during the fiscal year, the amount of
 31 funding available for the family support subsidy program
 32 is reduced from the amount initially used to establish the
 33 figure for the number of family members for whom a subsidy
 34 is to be provided at any one time during the fiscal year,
 35 notwithstanding section 225C.38, subsection 2, the department

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1 shall revise the figure as necessary to conform to the amount
 2 of funding available.
 3 Sec. 23. CONNER DECREE. There is appropriated from the
 4 general fund of the state to the department of human services
 5 for the fiscal year beginning July 1, 2019, and ending June 30,
 6 2020, the following amount, or so much thereof as is necessary,
 7 to be used for the purpose designated:
 8 For building community capacity through the coordination
 9 and provision of training opportunities in accordance with the
 10 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
 11 Iowa, July 14, 1994):
 12 \$ 33,632
 13 Sec. 24. MENTAL HEALTH INSTITUTES.
 14 1. There is appropriated from the general fund of the
 15 state to the department of human services for the fiscal year
 16 beginning July 1, 2019, and ending June 30, 2020, the following
 17 amounts, or so much thereof as is necessary, to be used for the
 18 purposes designated:
 19 a.(1) For operation of the state mental health institute
 20 at Cherokee as required by chapters 218 and 226 for salaries,
 21 support, maintenance, and miscellaneous purposes, and for not
 22 more than the following full-time equivalent positions:
 23 \$ 14,216,149
 24 FTEs 169.00
 25 (2) The additional full-time equivalent positions
 26 authorized in this paragraph "a" shall include 3.50 security
 27 staff and 3.00 support staff, or comparable additional,
 28 full-time equivalent positions.
 29 b.(1) For operation of the state mental health institute
 30 at Independence as required by chapters 218 and 226 for
 31 salaries, support, maintenance, and miscellaneous purposes, and
 32 for not more than the following full-time equivalent positions:
 33 \$ 19,165,110
 34 FTEs 208.00
 35 (2) The additional full-time equivalent positions

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1 authorized in this paragraph “b” shall include 3.50 security
2 staff, or comparable additional, full-time equivalent
3 positions.
4 2. Notwithstanding sections 218.78 and 249A.11, any revenue
5 received from the state mental health institute at Cherokee or
6 the state mental health institute at Independence pursuant to
7 42 C.F.R §438.6(e) may be retained and expended by the mental
8 health institute.
9 3. Notwithstanding any provision of law to the contrary,
10 a Medicaid member residing at the state mental health
11 institute at Cherokee or the state mental health institute
12 at Independence shall retain Medicaid eligibility during
13 the period of the Medicaid member’s stay for which federal
14 financial participation is available.
15 4. Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available for expenditure for the purposes designated until the
19 close of the succeeding fiscal year.
20 Sec. 25. STATE RESOURCE CENTERS.
21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2019, and ending June 30, 2020, the following
24 amounts, or so much thereof as is necessary, to be used for the
25 purposes designated:
26 a. For the state resource center at Glenwood for salaries,
27 support, maintenance, and miscellaneous purposes:
28 \$ 16,048,348
29 b. For the state resource center at Woodward for salaries,
30 support, maintenance, and miscellaneous purposes:
31 \$ 10,872,356
32 2. The department may continue to bill for state resource
33 center services utilizing a scope of services approach used for
34 private providers of intermediate care facilities for persons
35 with an intellectual disability services, in a manner which

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1 does not shift costs between the medical assistance program,
2 counties, or other sources of funding for the state resource
3 centers.
4 3. The state resource centers may expand the time-limited
5 assessment and respite services during the fiscal year.
6 4. If the department’s administration and the department
7 of management concur with a finding by a state resource
8 center’s superintendent that projected revenues can reasonably
9 be expected to pay the salary and support costs for a new
10 employee position, or that such costs for adding a particular
11 number of new positions for the fiscal year would be less
12 than the overtime costs if new positions would not be added,

13 the superintendent may add the new position or positions. If
 14 the vacant positions available to a resource center do not
 15 include the position classification desired to be filled, the
 16 state resource center's superintendent may reclassify any
 17 vacant position as necessary to fill the desired position. The
 18 superintendents of the state resource centers may, by mutual
 19 agreement, pool vacant positions and position classifications
 20 during the course of the fiscal year in order to assist one
 21 another in filling necessary positions.

22 5. If existing capacity limitations are reached in
 23 operating units, a waiting list is in effect for a service or
 24 a special need for which a payment source or other funding
 25 is available for the service or to address the special need,
 26 and facilities for the service or to address the special need
 27 can be provided within the available payment source or other
 28 funding, the superintendent of a state resource center may
 29 authorize opening not more than two units or other facilities
 30 and begin implementing the service or addressing the special
 31 need during fiscal year 2019-2020.

32 6. Notwithstanding section 8.33, and notwithstanding
 33 the amount limitation specified in section 222.92, moneys
 34 appropriated in this section that remain unencumbered or
 35 unobligated at the close of the fiscal year shall not revert

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1 but shall remain available for expenditure for the purposes
 2 designated until the close of the succeeding fiscal year.

3 Sec. 26. SEXUALLY VIOLENT PREDATORS.

4 1. a. There is appropriated from the general fund of the
 5 state to the department of human services for the fiscal year
 6 beginning July 1, 2019, and ending June 30, 2020, the following
 7 amount, or so much thereof as is necessary, to be used for the
 8 purpose designated:

9 For costs associated with the commitment and treatment of
 10 sexually violent predators in the unit located at the state
 11 mental health institute at Cherokee, including costs of legal
 12 services and other associated costs, including salaries,
 13 support, maintenance, and miscellaneous purposes, and for not
 14 more than the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 15 | \$ | 12,053,093 |
| 16 | FTEs | 139.00 |

17 b. The additional full-time equivalent positions authorized
 18 in paragraph "a" shall include 7.00 clinical and support staff,
 19 or comparable additional, full-time equivalent positions.

20 2. Unless specifically prohibited by law, if the amount
 21 charged provides for recoupment of at least the entire amount
 22 of direct and indirect costs, the department of human services
 23 may contract with other states to provide care and treatment
 24 of persons placed by the other states at the unit for sexually
 25 violent predators at Cherokee. The moneys received under
 26 such a contract shall be considered to be repayment receipts

27 and used for the purposes of the appropriation made in this
28 section.
29 3. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.
34 Sec. 27. FIELD OPERATIONS.
35 1. There is appropriated from the general fund of the

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1 state to the department of human services for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purposes designated:
5 For field operations, including salaries, support,
6 maintenance, and miscellaneous purposes, and for not more than
7 the following full-time equivalent positions:
8 \$ 55,396,906
9 FTEs 1,539.00
10 2. The additional full-time equivalent positions authorized
11 in subsection 1 shall include 29.00 full-time equivalent staff
12 positions to relieve caseloads and 6.00 full-time equivalent
13 positions related to the eligibility integrated application
14 solution (ELIAS) system.
15 3. Priority in filling full-time equivalent positions
16 shall be given to those positions related to child protection
17 services and eligibility determination for low-income families.
18 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2019, and ending
21 June 30, 2020, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:
23 For general administration, including salaries, support,
24 maintenance, and miscellaneous purposes, and for not more than
25 the following full-time equivalent positions:
26 \$ 13,833,040
27 FTEs 294.00
28 1. The department shall report at least monthly to the
29 legislative services agency concerning the department's
30 operational and program expenditures.
31 2. Of the funds appropriated in this section, \$150,000 shall
32 be used to continue the contract for the provision of a program
33 to provide technical assistance, support, and consultation to
34 providers of habilitation services and home and community-based
35 services waiver services for adults with disabilities under the

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1 medical assistance program.
 2 3. Of the funds appropriated in this section, \$50,000
 3 is transferred to the Iowa finance authority to be used
 4 for administrative support of the council on homelessness
 5 established in section 16.2D and for the council to fulfill its
 6 duties in addressing and reducing homelessness in the state.
 7 4. Of the funds appropriated in this section, \$200,000 shall
 8 be transferred to and deposited in the administrative fund of
 9 the Iowa ABLE savings plan trust created in section 12I.4, to
 10 be used for implementation and administration activities of the
 11 Iowa ABLE savings plan trust.
 12 5. Of the funds appropriated in this section, \$200,000 is
 13 transferred to the economic development authority for the Iowa
 14 commission on volunteer services to continue to be used for
 15 RefugeeRISE AmeriCorps program established under section 15H.8
 16 for member recruitment and training to improve the economic
 17 well-being and health of economically disadvantaged refugees in
 18 local communities across Iowa. Funds transferred may be used
 19 to supplement federal funds under federal regulations.
 20 6. Of the funds appropriated in this section, up to \$300,000
 21 shall be used as follows:
 22 a. To fund not more than one full-time equivalent position
 23 to address the department's responsibility to support the work
 24 of the children's system state board and implementation of the
 25 services required pursuant to 2018 Iowa Acts, chapter 1056,
 26 section 13.
 27 b. To support the cost of establishing and implementing new
 28 or additional services required pursuant to 2018 Iowa Acts,
 29 chapter 1056, and any legislation enacted by the 2019 general
 30 assembly establishing a children's behavioral health system.
 31 c. Of the amount allocated, \$32,000 shall be transferred
 32 to the department of public health to support the costs of
 33 establishing and implementing new or additional services
 34 required pursuant to 2018 Iowa Acts, chapter 1056, and any
 35 legislation enacted by the 2019 general assembly establishing a

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1 children's behavioral health system.
 2 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
 3 from the general fund of the state to the department of human
 4 services for the fiscal year beginning July 1, 2019, and ending
 5 June 30, 2020, the following amount, or so much thereof as is
 6 necessary, to be used for the purposes designated:
 7 For salaries, support, maintenance, and miscellaneous
 8 purposes at facilities under the purview of the department of
 9 human services:
 10 \$ 2,879,274
 11 Sec. 30. VOLUNTEERS. There is appropriated from the general
 12 fund of the state to the department of human services for the

13 fiscal year beginning July 1, 2019, and ending June 30, 2020,
14 the following amount, or so much thereof as is necessary, to be
15 used for the purpose designated:

16 For development and coordination of volunteer services:
17 \$ 84,686

18 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
20 DEPARTMENT OF HUMAN SERVICES.

21 1. a. (1)(a) For the fiscal year beginning July 1,
22 2019, the department shall rebase case-mix nursing facility
23 rates effective July 1, 2019, to the extent possible within the
24 state funding, including the \$23,401,942, appropriated for this
25 purpose.

26 (b) For the fiscal year beginning July 1, 2019, non-case-mix
27 and special population nursing facilities shall be reimbursed
28 in accordance with the methodology in effect on June 30 of the
29 prior fiscal year.

30 (c) For managed care claims, the department of human
31 services shall adjust the payment rate floor for nursing
32 facilities, annually, to maintain a rate floor that is no
33 lower than the Medicaid fee-for-service case-mix adjusted
34 rate calculated in accordance with subparagraph division

35 (a) and 441 IAC 81.6. The department shall then calculate

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1 adjusted reimbursement rates, including but not limited to
2 add-on-payments, annually, and shall notify Medicaid managed
3 care organizations of the adjusted reimbursement rates within
4 30 days of determining the adjusted reimbursement rates. Any
5 adjustment of reimbursement rates under this subparagraph
6 division shall be budget neutral to the state budget.

7 (d) For the fiscal year beginning July 1, 2019, Medicaid
8 managed care long-term services and supports capitation
9 rates shall be adjusted to reflect the rebasing pursuant to
10 subparagraph division (a) for the patient populations residing
11 in Medicaid-certified nursing facilities.

12 (2) Medicaid managed care organizations shall adjust
13 facility-specific rates based upon payment rate listings issued
14 by the department. The rate adjustments shall be applied
15 prospectively from the effective date of the rate letter issued
16 by the department.

17 b. (1) For the fiscal year beginning July 1, 2019,
18 the department shall establish the pharmacy dispensing fee
19 reimbursement at \$10.07 per prescription, until a cost of
20 dispensing survey is completed. The actual dispensing fee
21 shall be determined by a cost of dispensing survey performed
22 by the department and required to be completed by all medical
23 assistance program participating pharmacies every two years,
24 adjusted as necessary to maintain expenditures within the
25 amount appropriated to the department for this purpose for the
26 fiscal year.

27 (2) The department shall utilize an average acquisition
28 cost reimbursement methodology for all drugs covered under the
29 medical assistance program in accordance with 2012 Iowa Acts,
30 chapter 1133, section 33.

31 c. (1) For the fiscal year beginning July 1, 2019,
32 reimbursement rates for outpatient hospital services shall
33 remain at the rates in effect on June 30, 2019, subject to
34 Medicaid program upper payment limit rules, and adjusted
35 as necessary to maintain expenditures within the amount

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1 appropriated to the department for this purpose for the fiscal
2 year.

3 (2) For the fiscal year beginning July 1, 2019,
4 reimbursement rates for inpatient hospital services shall
5 remain at the rates in effect on June 30, 2019, subject to
6 Medicaid program upper payment limit rules, and adjusted
7 as necessary to maintain expenditures within the amount
8 appropriated to the department for this purpose for the fiscal
9 year.

10 (3) For the fiscal year beginning July 1, 2019, under
11 both fee-for-service and managed care administration of the
12 Medicaid program, critical access hospitals shall be reimbursed
13 for inpatient and outpatient services based on a critical
14 access hospital adjustment factor methodology developed by
15 the department. The adjustment factor methodology shall
16 be hospital-specific, shall be based on the most recent
17 and complete cost reporting period, and shall be applied
18 prospectively within the funds appropriated for such purpose
19 for the fiscal year. Implementation of the critical access
20 hospital adjustment factor methodology shall be contingent
21 on the department's receipt of approval from the centers for
22 Medicare and Medicaid services of the United States department
23 of health and human services.

24 (4) For the fiscal year beginning July 1, 2019, the graduate
25 medical education and disproportionate share hospital fund
26 shall remain at the amount in effect on June 30, 2019, except
27 that the portion of the fund attributable to graduate medical
28 education shall be reduced in an amount that reflects the
29 elimination of graduate medical education payments made to
30 out-of-state hospitals.

31 (5) In order to ensure the efficient use of limited state
32 funds in procuring health care services for low-income Iowans,
33 funds appropriated in this Act for hospital services shall
34 not be used for activities which would be excluded from a
35 determination of reasonable costs under the federal Medicare

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- 1 program pursuant to 42 U.S.C. §1395x(v)(1)(N).
2 d. For the fiscal year beginning July 1, 2019, reimbursement
3 rates for hospices and acute psychiatric hospitals shall be
4 increased in accordance with increases under the federal
5 Medicare program or as supported by their Medicare audited
6 costs.
7 e. For the fiscal year beginning July 1, 2019, independent
8 laboratories and rehabilitation agencies shall be reimbursed
9 using the same methodology in effect on June 30, 2019.
10 f. (1) For the fiscal year beginning July 1, 2019,
11 reimbursement rates for home health agencies shall continue to
12 be based on the Medicare low utilization payment adjustment
13 (LUPA) methodology with state geographic wage adjustments.
14 The department shall continue to update the rates every two
15 years to reflect the most recent Medicare LUPA rates to the
16 extent possible within the state funding appropriated for this
17 purpose.
18 (2) For the fiscal year beginning July 1, 2019, rates for
19 private duty nursing and personal care services under the early
20 and periodic screening, diagnostic, and treatment program
21 benefit shall be calculated based on the methodology in effect
22 on June 30, 2019.
23 g. For the fiscal year beginning July 1, 2019, federally
24 qualified health centers and rural health clinics shall receive
25 cost-based reimbursement for 100 percent of the reasonable
26 costs for the provision of services to recipients of medical
27 assistance.
28 h. For the fiscal year beginning July 1, 2019, the
29 reimbursement rates for dental services shall remain at the
30 rates in effect on June 30, 2019.
31 i. (1) For the fiscal year beginning July 1, 2019,
32 reimbursement rates for non-state-owned psychiatric medical
33 institutions for children shall be based on the reimbursement
34 methodology in effect on June 30, 2019.
35 (2) As a condition of participation in the medical

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- 1 assistance program, enrolled providers shall accept the medical
2 assistance reimbursement rate for any covered goods or services
3 provided to recipients of medical assistance who are children
4 under the custody of a psychiatric medical institution for
5 children.
6 j. For the fiscal year beginning July 1, 2019, unless
7 otherwise specified in this Act, all noninstitutional medical
8 assistance provider reimbursement rates shall remain at the
9 rates in effect on June 30, 2019, except for area education
10 agencies, local education agencies, infant and toddler
11 services providers, home and community-based services providers
12 including consumer-directed attendant care providers under a

13 section 1915(c) or 1915(i) waiver, targeted case management
14 providers, and those providers whose rates are required to be
15 determined pursuant to section 249A.20, or to meet federal
16 mental health parity requirements.

17 k. Notwithstanding any provision to the contrary, for the
18 fiscal year beginning July 1, 2019, the reimbursement rate for
19 anesthesiologists shall remain at the rates in effect on June
20 30, 2019, and updated on January 1, 2020, to align with the
21 most current Iowa Medicare anesthesia rate.

22 l. Notwithstanding section 249A.20, for the fiscal year
23 beginning July 1, 2019, the average reimbursement rate for
24 health care providers eligible for use of the federal Medicare
25 resource-based relative value scale reimbursement methodology
26 under section 249A.20 shall remain at the rate in effect on
27 June 30, 2019; however, this rate shall not exceed the maximum
28 level authorized by the federal government.

29 m. For the fiscal year beginning July 1, 2019, the
30 reimbursement rate for residential care facilities shall not
31 be less than the minimum payment level as established by the
32 federal government to meet the federally mandated maintenance
33 of effort requirement. The flat reimbursement rate for
34 facilities electing not to file annual cost reports shall not
35 be less than the minimum payment level as established by the

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1 federal government to meet the federally mandated maintenance
2 of effort requirement.

3 n. For the fiscal year beginning July 1, 2019, the
4 reimbursement rates for inpatient mental health services
5 provided at hospitals shall remain at the rates in effect on
6 June 30, 2019, subject to Medicaid program upper payment limit
7 rules; and psychiatrists shall be reimbursed at the medical
8 assistance program fee-for-service rate in effect on June 30,
9 2019.

10 o. For the fiscal year beginning July 1, 2019, community
11 mental health centers may choose to be reimbursed for the
12 services provided to recipients of medical assistance through
13 either of the following options:

14 (1) For 100 percent of the reasonable costs of the services.

15 (2) In accordance with the alternative reimbursement rate
16 methodology approved by the department of human services in
17 effect on June 30, 2019.

18 p. For the fiscal year beginning July 1, 2019, the
19 reimbursement rate for providers of family planning services
20 that are eligible to receive a 90 percent federal match shall
21 remain at the rates in effect on June 30, 2019.

22 q. Unless otherwise subject to a tiered rate methodology,
23 for the fiscal year beginning July 1, 2019, the upper
24 limits and reimbursement rates for providers of home and
25 community-based services waiver services shall be reimbursed
26 using the reimbursement methodology in effect on June 30, 2019.

27 r. For the fiscal year beginning July 1, 2019, the
28 reimbursement rates for emergency medical service providers
29 shall remain at the rates in effect on June 30, 2019, or as
30 approved by the centers for Medicare and Medicaid services of
31 the United States department of health and human services.
32 s. For the fiscal year beginning July 1, 2019, reimbursement
33 rates for substance-related disorder treatment programs
34 licensed under section 125.13 shall remain at the rates in
35 effect on June 30, 2019.

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1 t. For the fiscal year beginning July 1, 2019, assertive
2 community treatment per diem rates shall be adjusted to reflect
3 an actual average per diem cost within the additional \$211,332
4 appropriated for this purpose.
5 2. For the fiscal year beginning July 1, 2019, the
6 reimbursement rate for providers reimbursed under the
7 in-home-related care program shall not be less than the minimum
8 payment level as established by the federal government to meet
9 the federally mandated maintenance of effort requirement.
10 3. Unless otherwise directed in this section, when the
11 department's reimbursement methodology for any provider
12 reimbursed in accordance with this section includes an
13 inflation factor, this factor shall not exceed the amount
14 by which the consumer price index for all urban consumers
15 increased during the calendar year ending December 31, 2002.
16 4. Notwithstanding section 234.38, for the fiscal
17 year beginning July 1, 2019, the foster family basic daily
18 maintenance rate and the maximum adoption subsidy rate for
19 children ages 0 through 5 years shall be \$16.78, the rate for
20 children ages 6 through 11 years shall be \$17.45, the rate for
21 children ages 12 through 15 years shall be \$19.10, and the
22 rate for children and young adults ages 16 and older shall
23 be \$19.35. For youth ages 18 to 21 who have exited foster
24 care, the preparation for adult living program maintenance rate
25 shall be \$602.70 per month. The maximum payment for adoption
26 subsidy nonrecurring expenses shall be limited to \$500 and the
27 disallowance of additional amounts for court costs and other
28 related legal expenses implemented pursuant to 2010 Iowa Acts,
29 chapter 1031, section 408, shall be continued.
30 5. For the fiscal year beginning July 1, 2019, the maximum
31 reimbursement rates for social services providers under
32 contract shall remain at the rates in effect on June 30, 2019,
33 or the provider's actual and allowable cost plus inflation for
34 each service, whichever is less. However, if a new service
35 or service provider is added after June 30, 2019, the initial

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1 reimbursement rate for the service or provider shall be based
2 upon a weighted average of provider rates for similar services.

3 6. a. For the fiscal year beginning July 1, 2019, the
4 reimbursement rates for resource family recruitment and
5 retention contractors shall be established by contract.

6 b. For the fiscal year beginning July 1, 2019, the
7 reimbursement rates for supervised apartment living foster care
8 providers shall be established by contract.

9 7. For the fiscal year beginning July 1, 2019, the
10 reimbursement rate for group foster care providers shall be the
11 combined service and maintenance reimbursement rate established
12 by contract.

13 8. The group foster care reimbursement rates paid for
14 placement of children out of state shall be calculated
15 according to the same rate-setting principles as those used for
16 in-state providers, unless the director of human services or
17 the director's designee determines that appropriate care cannot
18 be provided within the state. The payment of the daily rate
19 shall be based on the number of days in the calendar month in
20 which service is provided.

21 9.a. For the fiscal year beginning July 1, 2019, the
22 reimbursement rate paid for shelter care and the child welfare
23 emergency services implemented to provide or prevent the need
24 for shelter care shall be established by contract.

25 b. For the fiscal year beginning July 1, 2019, the combined
26 service and maintenance components of the reimbursement rate
27 paid for shelter care services shall be based on the financial
28 and statistical report submitted to the department. The
29 maximum reimbursement rate shall be \$101.83 per day. The
30 department shall reimburse a shelter care provider at the
31 provider's actual and allowable unit cost, plus inflation, not
32 to exceed the maximum reimbursement rate.

33 c. Notwithstanding section 232.141, subsection 8, for the
34 fiscal year beginning July 1, 2019, the amount of the statewide
35 average of the actual and allowable rates for reimbursement of

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1 juvenile shelter care homes that is utilized for the limitation
2 on recovery of unpaid costs shall remain at the amount in
3 effect for this purpose in the fiscal year beginning July 1,
4 2018.

5 10. For the fiscal year beginning July 1, 2019, the
6 department shall calculate reimbursement rates for intermediate
7 care facilities for persons with an intellectual disability
8 at the 80th percentile. Beginning July 1, 2019, the rate
9 calculation methodology shall utilize the consumer price index
10 inflation factor applicable to the fiscal year beginning July
11 1, 2019.

12 11. Effective July 1, 2019, the child care provider

13 reimbursement rates shall remain at the rates in effect on June
14 30, 2019. The department shall set rates in a manner so as
15 to provide incentives for a nonregistered provider to become
16 registered by applying any increase only to registered and
17 licensed providers.

18 12. The department may adopt emergency rules to implement
19 this section.

20 Sec. 32. CONTRACTED SERVICES — PROHIBITED USE OF STATE
21 FUNDING FOR LOBBYING.

22 1. The department shall submit a report to the individuals
23 identified in this Act for submission of reports by December
24 15, 2019, regarding the outcomes of any program or activity for
25 which funding is appropriated or allocated from the general
26 fund of the state to the department under this division of this
27 Act, and for which a request for proposals process is required.

28 2. The department shall incorporate into the general
29 conditions applicable to all award documents involving funding
30 appropriated or allocated from the general fund of the state to
31 the department under this division of this Act, a prohibition
32 against the use of such funding for the compensation of a
33 lobbyist. For the purposes of this section, “lobbyist” means
34 the same as defined in section 68B.2; however, “lobbyist”
35 does not include a person employed by a state agency of the

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1 executive branch of state government who represents the agency
2 relative to the passage, defeat, approval, or modification of
3 legislation that is being considered by the general assembly.

4 Sec. 33. EMERGENCY RULES.

5 1. If specifically authorized by a provision of this
6 division of this Act, the department of human services or
7 the mental health and disability services commission may
8 adopt administrative rules under section 17A.4, subsection
9 3, and section 17A.5, subsection 2, paragraph “b”, to
10 implement the provisions of this division of this Act and
11 the rules shall become effective immediately upon filing or
12 on a later effective date specified in the rules, unless the
13 effective date of the rules is delayed or the applicability
14 of the rules is suspended by the administrative rules review
15 committee. Any rules adopted in accordance with this section
16 shall not take effect before the rules are reviewed by the
17 administrative rules review committee. The delay authority
18 provided to the administrative rules review committee under
19 section 17A.4, subsection 7, and section 17A.8, subsection 9,
20 shall be applicable to a delay imposed under this section,
21 notwithstanding a provision in those sections making them
22 inapplicable to section 17A.5, subsection 2, paragraph “b”.
23 Any rules adopted in accordance with the provisions of this
24 section shall also be published as a notice of intended action
25 as provided in section 17A.4.

26 2. If during a fiscal year, the department of human

27 services is adopting rules in accordance with this section
 28 or as otherwise directed or authorized by state law, and the
 29 rules will result in an expenditure increase beyond the amount
 30 anticipated in the budget process or if the expenditure was
 31 not addressed in the budget process for the fiscal year, the
 32 department shall notify the persons designated by this division
 33 of this Act for submission of reports, the chairpersons and
 34 ranking members of the committees on appropriations, and
 35 the department of management concerning the rules and the

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1 expenditure increase. The notification shall be provided at
 2 least 30 calendar days prior to the date notice of the rules
 3 is submitted to the administrative rules coordinator and the
 4 administrative code editor.
 5 Sec. 34. REPORTS. Any reports or other information
 6 required to be compiled and submitted under this Act during the
 7 fiscal year beginning July 1, 2019, shall be submitted to the
 8 chairpersons and ranking members of the joint appropriations
 9 subcommittee on health and human services, the legislative
 10 services agency, and the legislative caucus staffs on or
 11 before the dates specified for submission of the reports or
 12 information.

13 Sec. 35. EFFECTIVE UPON ENACTMENT. The following
 14 provisions of this division of this Act, being deemed of
 15 immediate importance, take effect upon enactment:

16 1. The provision relating to section 232.141 and directing
 17 the state court administrator and the division administrator of
 18 the department of human services division of child and family
 19 services to make the determination, by June 15, 2019, of the
 20 distribution of funds allocated for the payment of the expenses
 21 of court-ordered services provided to juveniles which are a
 22 charge upon the state.

23 DIVISION VI

24 HEALTH CARE ACCOUNTS AND FUNDS — FY 2019–2020

25 Sec. 36. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 26 appropriated from the pharmaceutical settlement account created
 27 in section 249A.33 to the department of human services for the
 28 fiscal year beginning July 1, 2019, and ending June 30, 2020,
 29 the following amount, or so much thereof as is necessary, to be
 30 used for the purpose designated:

31 Notwithstanding any provision of law to the contrary, to
 32 supplement the appropriations made in this Act for medical
 33 contracts under the medical assistance program for the fiscal
 34 year beginning July 1, 2019, and ending June 30, 2020:

35 \$ 234,193

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1 Sec. 37. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
2 SERVICES. Notwithstanding any provision to the contrary and
3 subject to the availability of funds, there is appropriated
4 from the quality assurance trust fund created in section
5 249L.4 to the department of human services for the fiscal year
6 beginning July 1, 2019, and ending June 30, 2020, the following
7 amounts, or so much thereof as is necessary, for the purposes
8 designated:
9 To supplement the appropriation made in this Act from the
10 general fund of the state to the department of human services
11 for medical assistance for the same fiscal year:
12 \$ 58,570,397
13 Sec. 38. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
14 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
15 the contrary and subject to the availability of funds, there is
16 appropriated from the hospital health care access trust fund
17 created in section 249M.4 to the department of human services
18 for the fiscal year beginning July 1, 2019, and ending June
19 30, 2020, the following amounts, or so much thereof as is
20 necessary, for the purposes designated:
21 To supplement the appropriation made in this Act from the
22 general fund of the state to the department of human services
23 for medical assistance for the same fiscal year:
24 \$ 33,920,554
25 Sec. 39. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
26 FOR FY 2019–2020. Notwithstanding section 8.33, if moneys
27 appropriated for purposes of the medical assistance program for
28 the fiscal year beginning July 1, 2019, and ending June 30,
29 2020, from the general fund of the state, the quality assurance
30 trust fund and the hospital health care access trust fund, are
31 in excess of actual expenditures for the medical assistance
32 program and remain unencumbered or unobligated at the close
33 of the fiscal year, the excess moneys shall not revert but
34 shall remain available for expenditure for the purposes of the
35 medical assistance program until the close of the succeeding

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1 fiscal year.
2 DIVISION VII
3 GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE
4 SERVICES AND FUNDING WORK GROUP
5 Sec. 40. GRADUATED SANCTION, COURT-ORDERED, AND GROUP
6 FOSTER CARE SERVICES AND FUNDING WORK GROUP.
7 1. As used in this section, unless the context otherwise
8 requires:
9 a. “Court-ordered services” means the defined or specific
10 care and treatment that is ordered by the court for an eligible
11 child and for which no other payment source is available to
12 cover the cost.

13 b. "Department" means the department of human services.

14 c. "Eligible child" means a child who has been adjudicated
15 delinquent, is at risk, or has been certified by the chief
16 juvenile court officer as eligible for court-ordered services.

17 d. "Graduated sanction services" includes community-based
18 interventions, school-based supervision, and supportive
19 enhancements provided in community-based settings to an
20 eligible child who is adjudicated delinquent or who is at risk
21 of adjudication.

22 2. The division of criminal and juvenile justice planning
23 of the department of human rights shall convene and provide
24 administrative support to a work group to review and develop
25 a plan to transfer the administration of graduated sanctions
26 and court-ordered services and funding and the oversight of
27 group foster care placements for eligible children from the
28 department to the office of the state court administrator.
29 The plan shall ensure that the office of the state court
30 administrator has the capacity, resources, and expertise to
31 manage the funding and services effectively.

32 3.a. In addition to a representative of the division of
33 criminal and juvenile justice planning of the department of
34 human rights, the membership of the work group shall include
35 but is not limited to representatives of all of the following:

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1 (1) The judicial branch, including the state court
2 administrator or the state court administrator's designee,
3 a juvenile court judge, at least one chief juvenile court
4 officer, and a representative with fiscal and contract
5 experience.

6 (2) The department of human services, including
7 representatives with experience managing graduated sanctions
8 funding and group foster care placements.

9 (3) The department of justice.

10 (4) The juvenile justice advisory committee.

11 (5) Member and nonmember agencies of the coalition for
12 family and children's services in Iowa.

13 (6) Providers of community-based services for eligible
14 children.

15 (7) Providers of group foster care.

16 (8) Attorneys who represent children in juvenile justice
17 proceedings.

18 (9) County attorneys.

19 (10) Federal Title IV-E funding and services subject matter
20 experts.

21 (11) Individuals who formerly received services as eligible
22 children or their parents.

23 b. In addition, the work group membership shall include
24 four members of the general assembly. The legislative members
25 shall serve as ex officio, nonvoting members of the work group,
26 with one member to be appointed by each of the following: the

27 majority leader of the senate, the minority leader of the
28 senate, the speaker of the house of representatives, and the
29 minority leader of the house of representatives.
30 c. In addition to the members specified, the division
31 of criminal and juvenile justice planning may include other
32 stakeholders with interest or expertise on the work group.
33 d. Any expenses incurred by a member of the work group
34 shall be the responsibility of the individual member or the
35 respective entity represented by the member.

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1 4. The work group shall do all of the following:
2 a. Develop an action plan to transfer the administration
3 of juvenile court graduated sanction services, court-ordered
4 services, and associated funding from the department to the
5 office of the state court administrator or other appropriate
6 state entity.
7 b. Develop an action plan to transfer the oversight of
8 group foster care services for eligible children from the
9 department to the office of the state court administrator or
10 other appropriate state entity with the necessary expertise to
11 provide such services.
12 c. Develop an action plan to transfer administration of the
13 juvenile detention home fund created in section 232.142 from
14 the department to the office of the state court administrator
15 or other appropriate state entity.
16 d. Evaluate current resources to determine the most
17 efficient means of suitably equipping the office of the state
18 court administrator or other appropriate state entity with
19 the policies and legal authority; staffing; contracting,
20 procurement, data, and quality assurance capabilities;
21 and other resources necessary to manage such funds and
22 associated services effectively. The evaluation shall
23 require collaboration with the department to manage transition
24 activities.
25 e. Recommend statutory and administrative policies and
26 court rules to promote collaborative case planning and quality
27 assurance between the department and juvenile court services
28 for youth who may be involved in both the child welfare and
29 juvenile justice systems or who may utilize the same providers
30 or services.
31 f. Determine the impact and role of the federal Family
32 First Prevention Services Act relative to the various funding
33 streams and services under the purview of the work group, and
34 recommend statutory and administrative policies and rules to
35 coordinate the duties of the work group with implementation and

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1 administration of the federal Act.

2 g. Determine the role of the decategorization of child
3 welfare and juvenile justice funding initiative pursuant
4 to section 232.188 relative to the other funding streams
5 and services under the purview of the work group, and make
6 recommendations regarding the future of the initiative
7 including the potential transfer of administration of the
8 initiative from the department to the office of the state court
9 administrator or other appropriate state entity.

10 h. Consult with other state juvenile court systems and
11 subject matter experts to review administration of similar
12 programs, to glean information on lessons learned and best
13 practices, and to determine the types of community and
14 residential services that have demonstrated effectiveness for
15 eligible children.

16 5. The division of criminal and juvenile justice planning
17 of the department of human rights shall submit a report of the
18 findings and recommendations of the work group, including a
19 plan to implement the recommendations by July 1, 2021, to the
20 governor and the general assembly by December 15, 2019.

21 DIVISION VIII

22 CO-OCCURRING CONDITIONS — ENHANCED DELIVERY OF SERVICES REVIEW

23 Sec. 41. REVIEW TO PROVIDE ENHANCED DELIVERY OF SERVICES

24 FOR CO-OCCURRING CONDITIONS. The director of the department

25 of public health and the director of the department of human

26 services shall develop recommendations for the enhanced

27 delivery of co-occurring conditions services. The directors

28 shall examine the current service delivery system to identify

29 opportunities for reducing the administrative burden on the

30 departments and providers, evaluate the use of an integrated

31 helpline and website and improvements in data collection

32 and sharing of outcomes, and create a structure for ongoing

33 collaboration. The directors shall submit a report including

34 findings, a five-year plan to address co-occurring conditions

35 across provider types and payors, and other recommendations to

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1 the governor and general assembly by December 15, 2019.

2 DIVISION IX

3 MEDICAID MANAGED CARE CONTRACTS

4 Sec. 42. MEDICAID MANAGED CARE CONTRACTS — NOTIFICATION

5 TO GENERAL ASSEMBLY. The department of human services shall

6 notify the chairpersons and ranking members of the joint

7 appropriations subcommittee on health and human services, the

8 legislative services agency, and the legislative caucus staffs

9 as follows:

10 1. Within thirty days of the execution of a Medicaid managed

11 care contract or amendment to a Medicaid managed care contract.

12 2. Within thirty days of the determination by the

13 department during each measurement year whether to return the
14 incentive payment withhold amount to the Medicaid managed care
15 organization based upon performance and the criteria used in
16 making the determination.

17 DIVISION X

18 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

19 Sec. 43. IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING. The
20 department on aging and the department of human services shall
21 continue to collaborate to develop a cost allocation plan
22 requesting Medicaid administrative funding to provide for the
23 claiming of federal financial participation for aging and
24 disability resource center activities that are performed to
25 assist with administration of the Medicaid program. By January
26 1, 2021, the department of human services shall submit to
27 the centers for Medicare and Medicaid services of the United
28 States department of health and human services any Medicaid
29 state plan amendment as necessary and shall enter into any
30 interagency agreement with the department on aging to implement
31 this section.

32 DIVISION XI

33 DECATEGORYIZATION FY 2017 CARRYOVER FUNDING

34 Sec. 44. DECATEGORYIZATION CARRYOVER FUNDING FY 2017 —
35 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,

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1 subsection 5, paragraph “b”, any state-appropriated moneys in
2 the funding pool that remained unencumbered or unobligated
3 at the close of the fiscal year beginning July 1, 2016, and
4 were deemed carryover funding to remain available for the two
5 succeeding fiscal years that still remain unencumbered or
6 unobligated at the close of the fiscal year beginning July 1,
7 2018, shall not revert but shall be transferred to the medical
8 assistance program for the fiscal year beginning July 1, 2019.

9 Sec. 45. EFFECTIVE DATE. This division of this Act, being
10 deemed of immediate importance, takes effect upon enactment.

11 Sec. 46. RETROACTIVE APPLICABILITY. This division of this
12 Act applies retroactively to July 1, 2018.

13 DIVISION XII

14 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

15 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

16 Sec. 47. 2017 Iowa Acts, chapter 174, section 45, as amended
17 by 2018 Iowa Acts, chapter 1165, section 10, is amended to read
18 as follows:

19 SEC. 45. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
20 GRANT. There is appropriated from the fund created in section
21 8.41 to the department of human services for the fiscal year
22 beginning July 1, 2018, and ending June 30, 2019, from moneys
23 received under the federal temporary assistance for needy
24 families (TANF) block grant pursuant to the federal Personal
25 Responsibility and Work Opportunity Reconciliation Act of 1996,
26 Pub. L. No. 104-193, and successor legislation, the following

27 amounts, or so much thereof as is necessary, to be used for the
 28 purposes designated:

29 1. To be credited to the family investment program account
 30 and used for assistance under the family investment program
 31 under chapter 239B:

32 \$ 4,539,006
 33 4,025,108

34 2. To be credited to the family investment program account
 35 and used for the job opportunities and basic skills (JOBS)

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1 program and implementing family investment agreements in
 2 accordance with chapter 239B:

3 \$ 5,412,060
 4 5,192,060

5 3. To be used for the family development and
 6 self-sufficiency grant program in accordance with section
 7 216A.107:

8 \$ 2,883,980
 9 2,898,980

10 Notwithstanding section 8.33, moneys appropriated in this
 11 subsection that remain unencumbered or unobligated at the close
 12 of the fiscal year shall not revert but shall remain available
 13 for expenditure for the purposes designated until the close of
 14 the succeeding fiscal year. However, unless such moneys are
 15 encumbered or obligated on or before September 30, 2019, the
 16 moneys shall revert.

17 4. For field operations:

18 \$ 31,206,232
 19 32,465,681

20 5. For general administration:

21 \$ 3,744,000

22 6. For state child care assistance:

23 \$ 47,166,826

24 a. Of the funds appropriated in this subsection,
 25 \$26,205,412 is transferred to the child care and development
 26 block grant appropriation made by the Eighty-seventh General
 27 Assembly, 2018 session, for the federal fiscal year beginning
 28 October 1, 2018, and ending September 30, 2019. Of this
 29 amount, \$200,000 shall be used for provision of educational
 30 opportunities to registered child care home providers in order
 31 to improve services and programs offered by this category
 32 of providers and to increase the number of providers. The
 33 department may contract with institutions of higher education
 34 or child care resource and referral centers to provide
 35 the educational opportunities. Allowable administrative

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1 costs under the contracts shall not exceed 5 percent. The
2 application for a grant shall not exceed two pages in length.
3 b. Any funds appropriated in this subsection remaining
4 unallocated shall be used for state child care assistance
5 payments for families who are employed including but not
6 limited to individuals enrolled in the family investment
7 program.
8 7. For child and family services:
9 \$ 32,380,654
10 8. For child abuse prevention grants:
11 \$ 125,000
12 9. For pregnancy prevention grants on the condition that
13 family planning services are funded:
14 \$ 1,013,203
15 1,890,203
16 Pregnancy prevention grants shall be awarded to programs
17 in existence on or before July 1, 2018, if the programs have
18 demonstrated positive outcomes. Grants shall be awarded to
19 pregnancy prevention programs which are developed after July
20 1, 2018, if the programs are based on existing models that
21 have demonstrated positive outcomes. Grants shall comply with
22 the requirements provided in 1997 Iowa Acts, chapter 208,
23 section 14, subsections 1 and 2, including the requirement that
24 grant programs must emphasize sexual abstinence. Priority in
25 the awarding of grants shall be given to programs that serve
26 areas of the state which demonstrate the highest percentage of
27 unplanned pregnancies of females of childbearing age within the
28 geographic area to be served by the grant.
29 10. For technology needs and other resources necessary
30 to meet federal welfare reform reporting, tracking, and case
31 management requirements:
32 \$ 1,037,186
33 862,186
34 11. a. Notwithstanding any provision to the contrary,
35 including but not limited to requirements in section 8.41 or

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1 provisions in 2017 or 2018 Iowa Acts regarding the receipt and
2 appropriation of federal block grants, federal funds from the
3 temporary assistance for needy families block grant received by
4 the state and not otherwise appropriated in this section and
5 remaining available for the fiscal year beginning July 1, 2018,
6 are appropriated to the department of human services to the
7 extent as may be necessary to be used in the following priority
8 order: the family investment program, for state child care
9 assistance program payments for families who are employed, and
10 for the family investment program share of system costs for
11 eligibility determination and related functions. The federal
12 funds appropriated in this paragraph "a" shall be expended

13 only after all other funds appropriated in subsection 1 for
 14 assistance under the family investment program, in subsection 6
 15 for child care assistance, or in subsection 10 for technology
 16 costs related to the family investment program, as applicable,
 17 have been expended. For the purposes of this subsection, the
 18 funds appropriated in subsection 6, paragraph "a", for transfer
 19 to the child care and development block grant appropriation
 20 are considered fully expended when the full amount has been
 21 transferred.

22 b. The department shall, on a quarterly basis, advise the
 23 legislative services agency and department of management of
 24 the amount of funds appropriated in this subsection that was
 25 expended in the prior quarter.

26 12. Of the amounts appropriated in this section,
 27 \$12,962,008 for the fiscal year beginning July 1, 2018, is
 28 transferred to the appropriation of the federal social services
 29 block grant made to the department of human services for that
 30 fiscal year.

31 13. For continuation of the program providing categorical
 32 eligibility for the food assistance program as specified
 33 for the program in the section of this division of this Act
 34 relating to the family investment program account:

35 \$ 14,236

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1 13,000

2 14. The department may transfer funds allocated in this
 3 section to the appropriations made in this division of this Act
 4 for the same fiscal year for general administration and field
 5 operations for resources necessary to implement and operate the
 6 services referred to in this section and those funded in the
 7 appropriation made in this division of this Act for the same
 8 fiscal year for the family investment program from the general
 9 fund of the state.

10 15. With the exception of moneys allocated under this
 11 section for the family development and self-sufficiency grant
 12 program, to the extent moneys allocated in this section are
 13 deemed by the department not to be necessary to support the
 14 purposes for which they are allocated, such moneys may be
 15 used in the same fiscal year for any other purpose for which
 16 funds are allocated in this section or in section 7 of this
 17 division for the family investment program account. If there
 18 are conflicting needs, priority shall first be given to the
 19 family investment program account as specified under subsection
 20 1 of this section and used for the purposes of assistance under
 21 the family investment program under chapter 239B, followed by
 22 state child care assistance program payments for families who
 23 are employed, followed by other priorities as specified by the
 24 department.

25 FAMILY INVESTMENT PROGRAM ADJUSTMENTS

26 Sec. 48. 2017 Iowa Acts, chapter 174, section 46, subsection

27 4, as amended by 2018 Iowa Acts, chapter 1165, section 11, is
28 amended to read as follows:
29 4. Moneys appropriated in this division of this Act and
30 credited to the FIP account for the fiscal year beginning July
31 1, 2018, and ending June 30, 2019, are allocated as follows:
32 a. To be retained by the department of human services to
33 be used for coordinating with the department of human rights
34 to more effectively serve participants in FIP and other shared
35 clients and to meet federal reporting requirements under the

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| | | |
|----|--|----------------|
| 1 | federal temporary assistance for needy families block grant: | |
| 2 | | \$ 5,000 |
| 3 | | <u>20,000</u> |
| 4 | b. To the department of human rights for staffing, | |
| 5 | administration, and implementation of the family development | |
| 6 | and self-sufficiency grant program in accordance with section | |
| 7 | 216A.107: | |
| 8 | ..... | \$ 6,192,834 |
| 9 | (1) Of the funds allocated for the family development | |
| 10 | and self-sufficiency grant program in this paragraph “b”, | |
| 11 | not more than 5 percent of the funds shall be used for the | |
| 12 | administration of the grant program. | |
| 13 | (2) The department of human rights may continue to implement | |
| 14 | the family development and self-sufficiency grant program | |
| 15 | statewide during fiscal year 2018-2019. | |
| 16 | (3) The department of human rights may engage in activities | |
| 17 | to strengthen and improve family outcomes measures and | |
| 18 | data collection systems under the family development and | |
| 19 | self-sufficiency grant program. | |
| 20 | c. For the diversion subaccount of the FIP account: | |
| 21 | ..... | \$ 749,694 |
| 22 | | <u>815,000</u> |
| 23 | A portion of the moneys allocated for the subaccount may | |
| 24 | be used for field operations, salaries, data management | |
| 25 | system development, and implementation costs and support | |
| 26 | deemed necessary by the director of human services in order to | |
| 27 | administer the FIP diversion program. To the extent moneys | |
| 28 | allocated in this paragraph “c” are deemed by the department | |
| 29 | not to be necessary to support diversion activities, such | |
| 30 | moneys may be used for other efforts intended to increase | |
| 31 | engagement by family investment program participants in work, | |
| 32 | education, or training activities, or for the purposes of | |
| 33 | assistance under the family investment program in accordance | |
| 34 | with chapter 239B. | |
| 35 | d. For the food assistance employment and training program: | |

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| | | | |
|----|---|----|-------------------|
| 1 | | \$ | 66,588 |
| 2 | (1) The department shall apply the federal supplemental | | |
| 3 | nutrition assistance program (SNAP) employment and training | | |
| 4 | state plan in order to maximize to the fullest extent permitted | | |
| 5 | by federal law the use of the 50 percent federal reimbursement | | |
| 6 | provisions for the claiming of allowable federal reimbursement | | |
| 7 | funds from the United States department of agriculture | | |
| 8 | pursuant to the federal SNAP employment and training program | | |
| 9 | for providing education, employment, and training services | | |
| 10 | for eligible food assistance program participants, including | | |
| 11 | but not limited to related dependent care and transportation | | |
| 12 | expenses. | | |
| 13 | (2) The department shall continue the categorical federal | | |
| 14 | food assistance program eligibility at 160 percent of the | | |
| 15 | federal poverty level and continue to eliminate the asset test | | |
| 16 | from eligibility requirements, consistent with federal food | | |
| 17 | assistance program requirements. The department shall include | | |
| 18 | as many food assistance households as is allowed by federal | | |
| 19 | law. The eligibility provisions shall conform to all federal | | |
| 20 | requirements including requirements addressing individuals who | | |
| 21 | are incarcerated or otherwise ineligible. | | |
| 22 | e. For the JOBS program: | | |
| 23 | ..... | \$ | <u>12,139,821</u> |
| 24 | | | <u>11,919,821</u> |
| 25 | MEDICAL ASSISTANCE PROGRAM ADJUSTMENT | | |
| 26 | Sec. 49. 2017 Iowa Acts, chapter 174, section 51, unnumbered | | |
| 27 | paragraph 2, as amended by 2018 Iowa Acts, chapter 1165, | | |
| 28 | section 18, is amended to read as follows: | | |
| 29 | For medical assistance program reimbursement and associated | | |
| 30 | costs as specifically provided in the reimbursement | | |
| 31 | methodologies in effect on June 30, 2018, except as otherwise | | |
| 32 | expressly authorized by law, consistent with options under | | |
| 33 | federal law and regulations, and contingent upon receipt of | | |
| 34 | approval from the office of the governor of reimbursement for | | |
| 35 | each abortion performed under the program: | | |

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| | | | |
|----|--|----|----------------------|
| 1 | | \$ | <u>1,337,841,375</u> |
| 2 | | | <u>1,488,141,375</u> |
| 3 | GROUP FOSTER CARE REALLOCATION | | |
| 4 | Sec. 50. 2017 Iowa Acts, chapter 174, section 57, subsection | | |
| 5 | 3, paragraph a, as amended by 2018 Iowa Acts, chapter 1165, | | |
| 6 | section 28, is amended to read as follows: | | |
| 7 | a. Of the funds appropriated in this section, up to | | |
| 8 | \$34,536,648 is allocated as the statewide expenditure target | | |
| 9 | under section 232.143 for group foster care maintenance and | | |
| 10 | services. If the department projects that such expenditures | | |
| 11 | for the fiscal year will be less than the target amount | | |
| 12 | allocated in this paragraph "a", the department may reallocate | | |

13 the excess to provide additional funding for family foster
14 care, independent living, family safety, risk and permanency
15 services, shelter care, or the child welfare emergency services
16 addressed with the allocation for shelter care.

17 SHELTER CARE ALLOCATION

18 Sec. 51. 2017 Iowa Acts, chapter 174, section 57, subsection
19 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
20 amended to read as follows:

21 6. ~~Notwithstanding section 234.35 or any other provision of~~
22 ~~law to the contrary, state funding~~ Of the funds appropriated
23 in this section, a sufficient amount is allocated for shelter
24 care and the child welfare emergency services contracting
25 implemented to provide for or prevent the need for shelter care
26 ~~shall be limited to \$8,096,158.~~

27 OTHER FUNDING FOR CHILD WELFARE SERVICES

28 Sec. 52. 2017 Iowa Acts, chapter 174, section 57, subsection
29 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is
30 amended by adding the following new subsection:

31 NEW SUBSECTION. 24. If a separate funding source is
32 identified that reduces the need for state funds within an
33 allocation under this section, the allocated state funds may be
34 redistributed to other allocations under this section for the
35 same fiscal year.

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1 Sec. 53. EFFECTIVE DATE. This division of this Act, being
2 deemed of immediate importance, takes effect upon enactment.

3 Sec. 54. RETROACTIVE APPLICABILITY. This division of this
4 Act applies retroactively to July 1, 2018.

5 DIVISION XIII

6 HOSPITAL HEALTH CARE ACCESS ASSESSMENT PROGRAM FUTURE REPEAL

7 Sec. 55. Section 249M.5, Code 2019, is amended to read as
8 follows:

9 **249M.5 Future repeal.**

10 This chapter is repealed July 1, ~~2019~~ 2021.

11 Sec. 56. EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.

13 DIVISION XIV

14 MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS

15 Sec. 57. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER

16 OF FUNDS. Notwithstanding section 331.432, a county with a
17 population of over 300,000 based on the most recent federal
18 decennial census, may transfer funds from any other fund of the
19 county to the mental health and disability regional services
20 fund for the purposes of providing mental health and disability
21 services for the fiscal year beginning July 1, 2019, and
22 ending June 30, 2020. The county shall submit a report to
23 the governor and the general assembly by September 1, 2020,
24 including the source of any funds transferred, the amount of
25 the funds transferred, and the mental health and disability
26 services provided with the transferred funds.

27 DIVISION XV
28 OPERATION OF BOARD OF MEDICINE, BOARD OF NURSING, BOARD OF
29 PHARMACY, AND THE DENTAL BOARD
30 Sec. 58. Section 135.11A, subsection 1, Code 2019, is
31 amended to read as follows:
32 1. There shall be a professional licensure division within
33 the department of public health. Each board under chapter 147
34 or under the administrative authority of the department, except
35 the board of nursing, board of medicine, dental board, and

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1 board of pharmacy, shall receive administrative and clerical
2 support from the division and may not employ its own support
3 staff for administrative and clerical duties. The executive
4 director of the board of nursing, board of medicine, dental
5 board, and board of pharmacy shall be appointed pursuant to
6 section 135.11B.
7 Sec. 59. NEW SECTION. 135.11B Appointment of certain
8 executive directors.
9 1. The director shall appoint and supervise a full-time
10 executive director for each of the following boards:
11 a. The board of medicine.
12 b. The board of nursing.
13 c. The dental board.
14 d. The board of pharmacy.
15 2. Each board listed in subsection 1 shall advise the
16 director in evaluating potential candidates for the position of
17 executive director, consult with the director in the hiring of
18 the executive director, and review and advise the director on
19 the performance of the executive director in the discharge of
20 the executive director's duties.
21 3. Each board listed in subsection 1 shall retain sole
22 discretion and authority to execute the core functions of the
23 board including but not limited to policymaking, advocating
24 for and against legislation, rulemaking, licensing, licensee
25 investigations, licensee disciplinary proceedings, and
26 oversight of professional health programs. The director's
27 supervision of the executive director shall not interfere with
28 the board's discretion and authority in executing the core
29 functions of the board.
30 Sec. 60. Section 147.80, subsection 3, Code 2019, is amended
31 to read as follows:
32 3. The board of medicine, the board of pharmacy, the
33 dental board, and the board of nursing shall retain individual
34 executive officers pursuant to section 135.11B, but shall
35 make every effort to share administrative, clerical, and

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1 investigative staff to the greatest extent possible.

2 Sec. 61. Section 152.2, Code 2019, is amended to read as
3 follows:

4 **152.2 Executive director.**

5 The board shall ~~appoint~~ retain a full-time executive
6 director, who shall be appointed pursuant to section 135B.11.
7 The executive director shall be a registered nurse ~~and shall~~
8 ~~not be a member of the board.~~ The governor, with the approval
9 of the executive council pursuant to section 8A.413, subsection
10 3, under the pay plan for exempt positions in the executive
11 branch of government, shall set the salary of the executive
12 director.

13 Sec. 62. Section 153.33, subsection 2, Code 2019, is amended
14 to read as follows:

15 2. All employees needed to administer this chapter except
16 the executive director shall be appointed pursuant to the merit
17 system. The executive director shall ~~serve at the pleasure of~~
18 ~~the board~~ be appointed pursuant to section 135.11B and shall
19 be exempt from the merit system provisions of chapter 8A,
20 subchapter IV.

21 **DIVISION XVI**

22 **MEDICAID MEDICAL PRIOR AUTHORIZATION — UNIFORM PROCESS —**
23 **CENTRAL PORTAL**

24 Sec. 63. **MEDICAID — MEDICAL PRIOR AUTHORIZATION UNIFORM**
25 **PROCESS.** The department of human services shall adopt rules
26 pursuant to chapter 17A by October 1, 2019, to require that
27 both managed care and fee-for-service payment and delivery
28 systems utilize a uniform process, including but not limited to
29 uniform forms, information requirements, and time frames, to
30 request medical prior authorization under the Medicaid program.
31 The rules shall require the managed care organizations,
32 by contract, to implement the uniform process by a date as
33 determined by the department.

34 Sec. 64. **MEDICAID MANAGEMENT INFORMATION SYSTEM — CENTRAL**
35 **PORTAL — REVIEW.** The department shall review the costs

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1 associated with expanding the medical assistance management
2 information system to integrate a single, statewide system to
3 serve as a central portal for submission of all medical prior
4 authorization requests for the Medicaid program. The portal
5 shall not be designed to make or review final determinations
6 of managed care organization medical prior authorization
7 requests, but shall only serve as a conduit to deliver medical
8 prior authorization requests to the appropriate managed care
9 organization. The results of the study shall be submitted to
10 the governor and the general assembly no later than March 31,
11 2020.

12 Sec. 65. **EFFECTIVE DATE.** This division of this Act, being

13 deemed of immediate importance, takes effect upon enactment.

14 DIVISION XVII

15 HEALTH AND HUMAN SERVICES EXECUTIVE BRANCH ENTITIES — REFORM

16 IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK

17 Sec. 66. Section 135.24, subsection 7, paragraph e, Code
18 2019, is amended to read as follows:

19 e. “*Specialty health care provider office*” means the
20 private office or clinic of an individual specialty health
21 care provider or group of specialty health care providers ~~as~~
22 ~~referred by the Iowa collaborative safety net provider network~~
23 ~~established in section 135.153~~, but does not include a field
24 dental clinic, a free clinic, or a hospital.

25 Sec. 67. Section 135.159, subsection 1, paragraph h, Code
26 2019, is amended by striking the paragraph.

27 Sec. 68. REPEAL. Section 135.153, Code 2019, is repealed.

28 HOSPITAL HEALTH CARE ACCESS TRUST FUND BOARD

29 Sec. 69. Section 249M.4, Code 2019, is amended to read as
30 follows:

31 **249M.4 Hospital health care access trust fund — ~~board~~.**

32 1. A hospital health care access trust fund is created
33 in the state treasury under the authority of the department.
34 Moneys received through the collection of the hospital health
35 care access assessment imposed under this chapter and any

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1 other moneys specified for deposit in the trust fund shall be
2 deposited in the trust fund.

3 2. Moneys in the trust fund shall be used, subject to
4 their appropriation by the general assembly, by the department
5 to reimburse participating hospitals the medical assistance
6 program upper payment limit for inpatient and outpatient
7 hospital services as calculated in this section. Following
8 payment of such upper payment limit to participating hospitals,
9 any remaining funds in the trust fund on an annual basis may be
10 used for any of the following purposes:

11 a. To support medical assistance program utilization
12 shortfalls.

13 b. To maintain the state’s capacity to provide access to and
14 delivery of services for vulnerable Iowans.

15 c. To fund the health care workforce support initiative
16 created pursuant to section 135.175.

17 d. To support access to health care services for uninsured
18 Iowans.

19 e. To support Iowa hospital programs and services which
20 expand access to health care services for Iowans.

21 3. The trust fund shall be separate from the general fund
22 of the state and shall not be considered part of the general
23 fund. The moneys in the trust fund shall not be considered
24 revenue of the state, but rather shall be funds of the hospital
25 health care access assessment program. The moneys deposited
26 in the trust fund are not subject to section 8.33 and shall not

27 be transferred, used, obligated, appropriated, or otherwise
28 encumbered, except to provide for the purposes of this chapter.
29 Notwithstanding section 12C.7, subsection 2, interest or
30 earnings on moneys deposited in the trust fund shall be
31 credited to the trust fund.
32 4. The department shall adopt rules pursuant to chapter
33 17A to administer the trust fund and reimbursements and
34 expenditures as specified in this chapter made from the trust
35 fund.

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1 5. *a.* Beginning July 1, 2010, or the implementation date
2 of the hospital health care access assessment program as
3 determined by receipt of approval from the centers for Medicare
4 and Medicaid services of the United States department of health
5 and human services, whichever is later, the department shall
6 increase the diagnostic related groups and ambulatory patient
7 classifications base rates to provide payments to participating
8 hospitals at the Medicare upper payment limit for the fiscal
9 year beginning July 1, 2010, calculated as of July 31, 2010.
10 Each participating hospital shall receive the same percentage
11 increase, but the percentage may differ depending on whether
12 the basis for the base rate increase is the diagnostic related
13 groups or ambulatory patient classifications.
14 *b.* The percentage increase shall be calculated by dividing
15 the amount calculated under subparagraph (1) by the amount
16 calculated under subparagraph (2) as follows:
17 (1) The amount under the Medicare upper payment limit for
18 the fiscal year beginning July 1, 2010, for participating
19 hospitals.
20 (2) The projected expenditures for participating hospitals
21 for the fiscal year beginning July 1, 2010, as determined by
22 the fiscal management division of the department, plus the
23 amount calculated under subparagraph (1).
24 6. For the fiscal year beginning July 1, 2011, and for
25 each fiscal year beginning July 1, thereafter, the payments to
26 participating hospitals shall continue to be calculated based
27 on the upper payment limit as calculated for the fiscal year
28 beginning July 1, 2010.
29 7. Reimbursement of participating hospitals shall
30 incorporate the rebasing process for inpatient and outpatient
31 services for state fiscal year 2012. However, the total amount
32 of increased funding available for reimbursement attributable
33 to rebasing shall not exceed four million five hundred thousand
34 dollars for state fiscal year 2012 and six million dollars for
35 state fiscal year 2013.

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1 8. Any payments to participating hospitals under this
2 section shall result in budget neutrality to the general fund
3 of the state.

4 ~~9. a. A hospital health care access trust fund board is~~
5 ~~established consisting of the following members:~~

6 ~~(1) The co chairpersons and the ranking members of the joint~~
7 ~~appropriations subcommittee on health and human services.~~

8 ~~(2) The Iowa medical assistance program director.~~

9 ~~(3) Two hospital executives representing the two largest~~
10 ~~private health care systems in the state.~~

11 ~~(4) The president of the Iowa hospital association.~~

12 ~~(5) A representative of a consumer advocacy group, involved~~
13 ~~in both state and national initiatives, that provides data on~~
14 ~~key indicators of well-being for children and families in order~~
15 ~~to inform policymakers to help children and families succeed.~~

16 ~~b. The board shall do all of the following:~~

17 ~~(1) Provide oversight of the trust fund.~~

18 ~~(2) Make recommendations regarding the hospital health care~~
19 ~~access assessment program, including recommendations regarding~~
20 ~~the assessment calculation, assessment amounts, payments to~~
21 ~~participating hospitals, and use of the moneys in the trust~~
22 ~~fund.~~

23 ~~(3) Submit an annual report to the governor and the general~~
24 ~~assembly regarding the use and expenditure of moneys deposited~~
25 ~~in the trust fund.~~

26 ~~c. The department shall provide administrative assistance~~
27 ~~to the board.~~

28 ADVISORY COMMITTEE TO THE CENTER FOR RURAL HEALTH AND PRIMARY
29 CARE

30 Sec. 70. Section 135.107, subsection 5, Code 2019, is
31 amended by striking the subsection.

32 Sec. 71. Section 262.78, subsection 3, Code 2019, is amended
33 to read as follows:

34 3. The president of the university of Iowa, in consultation
35 with the president of Iowa state university of science and

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1 technology, shall employ a full-time director of the center.
2 The center may employ staff to carry out the center's purpose.
3 The director shall coordinate the agricultural health and
4 safety programs of the center. The director shall regularly
5 meet and consult with the ~~advisory committee to the center for~~
6 rural health and primary care. The director shall provide
7 the board of regents with relevant information regarding the
8 center.

9 GOVERNMENTAL PUBLIC HEALTH ADVISORY COUNCIL

10 Sec. 72. Section 135A.2, subsection 2, Code 2019, is amended
11 by striking the subsection.

12 Sec. 73. Section 135A.9, subsection 1, Code 2019, is amended

13 by striking the subsection.

14 Sec. 74. REPEAL. Section 135A.4, Code 2019, is repealed.

15 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

16 Sec. 75. REPEAL. Section 135.159, Code 2019, is repealed.

17 COMBINING STATE MEDICAL EXAMINER ADVISORY COUNCIL WITH THE

18 INTERAGENCY COORDINATING COUNCIL

19 Sec. 76. Section 691.6B, Code 2019, is amended to read as
20 follows:

21 **691.6B Interagency coordinating council.**

22 1. An interagency coordinating council is created to ~~advise~~
23 do all of the following:

24 a. Advise and consult with the state medical examiner on a
25 range of issues affecting the organization and functions of the
26 office of the state medical examiner and the effectiveness of
27 the medical examiner system in the state.

28 b. Advise the state medical examiner concerning the
29 assurance of effective coordination of the functions and
30 operations of the office of the state medical examiner with the
31 needs and interests of the departments of public safety and
32 public health.

33 2. Members of the interagency coordinating council shall
34 include ~~the~~ all of the following:

35 a. The state medical examiner, or when the state medical

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1 examiner is not available, the deputy state medical examiner;
2 ~~the.~~

3 b. The commissioner of public safety or the commissioner's
4 designee; ~~the.~~

5 c. The director of public health or the director's designee;
6 and ~~the.~~

7 d. The governor or the governor's designee.

8 e. Representatives from the office of the attorney
9 general, the Iowa county attorneys association, the Iowa
10 medical society, the Iowa association of pathologists, the
11 Iowa association of county medical examiners, the statewide
12 emergency medical system, and the Iowa funeral directors
13 association.

14 3. The interagency coordinating council shall meet on
15 a regular basis, and shall be organized and function as
16 established by the state medical examiner by rule.

17 Sec. 77. REPEAL. Section 691.6C, Code 2019, is repealed.

18 TRAUMA SYSTEM ADVISORY COUNCIL

19 Sec. 78. Section 147A.24, subsection 2, Code 2019, is
20 amended to read as follows:

21 2. The council shall consist of seven members to be
22 appointed by the director from the recommendations of
23 the organizations in subsection 1 for terms of two years.
24 Vacancies on the council shall be filled for the remainder of
25 the term of the original appointment. Members whose terms
26 expire may be reappointed.

27 Sec. 79. TRANSITION PROVISIONS. Notwithstanding any
28 provision of section 147A.24, subsection 2, to the contrary, a
29 member of the trauma system advisory council on July 1, 2019,
30 shall continue serving until the expiration of that member's
31 term or until a vacancy occurs prior to the expiration of the
32 applicable term, and such vacancy shall only be filled to the
33 extent consistent with and necessary to maintain the total
34 number of members of the council specified in section 147A.24,
35 subsection 2, as amended in this Act.

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1 TELECONFERENCE OPTION FOR STATE ENTITIES

2 Sec. 80. NEW SECTION. 135.11B **Statutory board, commission,**
3 **committee, or council of committee — teleconference option.**

4 Any statutorily established board, commission, committee, or
5 council established under the purview of the department shall
6 provide for a teleconference option for board, commission,
7 committee, or council members to participate in official
8 meetings.

9 ELIMINATION OF PAYMENT OF EXPENSES FOR PUBLIC MEMBERS OF
10 CERTAIN STATE ENTITIES

11 Sec. 81. Section 105.3, subsection 6, Code 2019, is amended
12 by striking the subsection.

13 Sec. 82. Section 135.43, subsection 2, unnumbered paragraph
14 1, Code 2019, is amended to read as follows:

15 The membership of the review team is subject to the
16 provisions of sections 69.16 and 69.16A, relating to political
17 affiliation and gender balance. Review team members who
18 are not designated by another appointing authority shall be
19 appointed by the state medical examiner. Membership terms
20 shall be for three years. A membership vacancy shall be filled
21 in the same manner as the original appointment. The review
22 team shall elect a chairperson and other officers as deemed
23 necessary by the review team. The review team shall meet upon
24 the call of the state medical examiner or as determined by
25 the review team. ~~The members of the team are eligible for~~
26 ~~reimbursement of actual and necessary expenses incurred in the~~
27 ~~performance of their official duties.~~ The review team shall
28 include the following:

29 Sec. 83. Section 135.62, subsection 2, paragraph e, Code
30 2019, is amended by striking the paragraph.

31 Sec. 84. Section 147A.3, Code 2019, is amended to read as
32 follows:

33 **147A.3 Meetings of the council — quorum — expenses.**

34 Membership, terms of office, and quorum, ~~and expenses~~ shall
35 be determined by the director pursuant to chapter 135.

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1 Sec. 85. Section 256I.3, subsection 3, Code 2019, is amended
2 by striking the subsection.

3 ELIMINATION OF CHILD WELFARE ADVISORY COMMITTEE, CHILD
4 SUPPORT ADVISORY COMMITTEE, CHILDREN'S MENTAL HEALTH WAIVER
5 IMPLEMENTATION COMMITTEE, AND PROPERTY TAX RELIEF FUND RISK
6 POOL

7 Sec. 86. Section 217.3A, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. *General.* The council on human services shall establish
10 and utilize the advisory ~~committees~~ committee identified in
11 this section and may establish and utilize other advisory
12 committees. The council shall establish appointment
13 provisions, membership terms, operating guidelines, and other
14 operational requirements for committees established pursuant to
15 this section.

16 Sec. 87. Section 217.3A, subsections 3 and 4, Code 2019, are
17 amended by striking the subsections.

18 Sec. 88. Section 426B.5, subsection 1, Code 2019, is amended
19 by striking the subsection.

20 Sec. 89. 2005 Iowa Acts, chapter 117, section 4, subsection
21 3, is amended by striking the subsection.

22 DIVISION XVIII

23 MEDICAL ASSISTANCE ADVISORY COUNCIL

24 Sec. 90. Section 217.3, subsection 4, Code 2019, is amended
25 to read as follows:

26 4. Approve the budget of the department of human services
27 prior to submission to the governor. Prior to approval of the
28 budget, the council shall publicize and hold a public hearing
29 to provide explanations and hear questions, opinions, and
30 suggestions regarding the budget. Invitations to the hearing
31 shall be extended to the governor, the governor-elect, the
32 director of the department of management, and other persons
33 deemed by the council as integral to the budget process. The
34 budget materials submitted to the governor shall include a
35 review of options for revising the medical assistance program

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1 made available by federal action or by actions implemented
2 by other states as identified by the department, the medical
3 assistance advisory council ~~and the executive committee of the~~
4 ~~medical assistance advisory council~~ created in section 249A.4B,
5 and by county representatives. The review shall address what
6 potential revisions could be made in this state and how the
7 changes would be beneficial to Iowans.

8 Sec. 91. Section 249A.4B, Code 2019, is amended to read as
9 follows:

10 **249A.4B Medical assistance advisory council.**

11 1. A medical assistance advisory council is created to
12 comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of

13 the federal Social Security Act and to advise the director
 14 about health and medical care services under the medical
 15 assistance program. The council shall meet no more than
 16 quarterly. The director of public health and a public member
 17 of the council selected by the public members of the council
 18 ~~specified in subsection 2, paragraph “b”~~, shall serve as
 19 co-chairpersons of the council.

20 2. a. The council shall consist of the following voting
 21 members:

22 (1) Five professional or business entity members selected
 23 by the entities specified pursuant to subsection 3, paragraph
 24 “a”.

25 (2) Five public members appointed pursuant to subsection 3,
 26 paragraph “b”. Of the five public members, at least one member
 27 shall be a recipient of medical assistance.

28 b. The council shall include all of the following nonvoting
 29 members:

30 (1) The director of public health, or the director’s
 31 designee.

32 (2) The director of the department on aging, or the
 33 director’s designee.

34 (3) The long-term care ombudsman, or the long-term care
 35 ombudsman’s designee.

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1 (4) The dean of Des Moines university — osteopathic medical
 2 center, or the dean’s designee.

3 (5) The dean of the university of Iowa college of medicine,
 4 or the dean’s designee.

5 (6) A member of the hawk-i board created in section 514I.5,
 6 selected by the members of the hawk-i board.

7 (7) The following members of the general assembly, each for
 8 a term of two years as provided in section 69.16B:

9 (a) Two members of the house of representatives, one
 10 appointed by the speaker of the house of representatives
 11 and one appointed by the minority leader of the house of
 12 representatives from their respective parties.

13 (b) Two members of the senate, one appointed by the
 14 president of the senate after consultation with the majority
 15 leader of the senate and one appointed by the minority leader
 16 of the senate.

17 ~~2. 3.~~ The voting membership of the council shall include
 18 all of the following voting members be selected or appointed
 19 as follows:

20 a. The five professional or business entity members shall
 21 be selected by the entities specified under this paragraph “a”.
 22 The five professional or business entity members selected shall
 23 be the president, or the president’s representative, of each
 24 of the following professional or business entities entity, or
 25 a member of each of the following professional or business
 26 entities, selected entity, designated by the entity;.

- 27 (1) The Iowa medical society.
- 28 (2) The Iowa osteopathic medical association.
- 29 (3) The Iowa academy of family physicians.
- 30 (4) The Iowa chapter of the American academy of pediatrics.
- 31 (5) The Iowa physical therapy association.
- 32 (6) The Iowa dental association.
- 33 (7) The Iowa nurses association.
- 34 (8) The Iowa pharmacy association.
- 35 (9) The Iowa podiatric medical society.

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- 1 (10) The Iowa optometric association.
- 2 (11) The Iowa association of community providers.
- 3 (12) The Iowa psychological association.
- 4 (13) The Iowa psychiatric society.
- 5 (14) The Iowa chapter of the national association of social
- 6 workers.
- 7 (15) The coalition for family and children's services in
- 8 Iowa.
- 9 (16) The Iowa hospital association.
- 10 (17) The Iowa association of rural health clinics.
- 11 (18) The Iowa primary care association.
- 12 (19) Free clinics of Iowa.
- 13 (20) The opticians' association of Iowa, inc.
- 14 (21) The Iowa association of hearing health professionals.
- 15 (22) The Iowa speech and hearing association.
- 16 (23) The Iowa health care association.
- 17 (24) The Iowa association of area agencies on aging.
- 18 (25) AARP.
- 19 (26) The Iowa caregivers association.
- 20 (27) Leading age Iowa.
- 21 (28) The Iowa association for home care.
- 22 (29) The Iowa council of health care centers.
- 23 (30) The Iowa physician assistant society.
- 24 (31) The Iowa association of nurse practitioners.
- 25 (32) The Iowa nurse practitioner society.
- 26 (33) The Iowa occupational therapy association.
- 27 (34) The ARC of Iowa, formerly known as the association for
- 28 retarded citizens of Iowa.
- 29 (35) The national alliance on mental illness.
- 30 (36) The Iowa state association of counties.
- 31 (37) The Iowa developmental disabilities council.
- 32 (38) The Iowa chiropractic society.
- 33 (39) The Iowa academy of nutrition and dietetics.
- 34 (40) The Iowa behavioral health association.
- 35 (41) The midwest association for medical equipment services

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- 1 or an affiliated Iowa organization.
- 2 ~~b. Ten~~ The five public members shall be public
3 representatives which may include members of consumer groups,
4 including recipients of medical assistance or their families,
5 consumer organizations, and others, appointed by the governor
6 for staggered terms of two years each, none of whom shall be
7 members of, or practitioners of, or have a pecuniary interest
8 in any of the professional or business entities specifically
9 represented under paragraph "a", ~~and a majority of whom shall be~~
10 ~~current or former recipients of medical assistance or members~~
11 ~~of the families of current or former recipients.~~
- 12 ~~c. A member of the hawk i board created in section 514I.5,~~
13 ~~selected by the members of the hawk i board.~~
- 14 3. ~~The council shall include all of the following nonvoting~~
15 ~~members:~~
- 16 ~~a. The director of public health, or the director's~~
17 ~~designee.~~
- 18 ~~b. The director of the department on aging, or the~~
19 ~~director's designee.~~
- 20 ~~c. The long term care ombudsman, or the long term care~~
21 ~~ombudsman's designee.~~
- 22 ~~d. The dean of Des Moines university — osteopathic medical~~
23 ~~center, or the dean's designee.~~
- 24 ~~e. The dean of the university of Iowa college of medicine,~~
25 ~~or the dean's designee.~~
- 26 ~~f. The following members of the general assembly, each for a~~
27 ~~term of two years as provided in section 69.16B:~~
- 28 (1) ~~Two members of the house of representatives, one~~
29 ~~appointed by the speaker of the house of representatives~~
30 ~~and one appointed by the minority leader of the house of~~
31 ~~representatives from their respective parties.~~
- 32 (2) ~~Two members of the senate, one appointed by the~~
33 ~~president of the senate after consultation with the majority~~
34 ~~leader of the senate and one appointed by the minority leader~~
35 ~~of the senate.~~

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- 1 4.a. ~~An executive committee of the council is created and~~
2 ~~shall consist of the following members of the council:~~
- 3 (1) ~~Five of the professional or business entity members~~
4 ~~designated pursuant to subsection 2, paragraph "a", and~~
5 ~~selected by the members specified under that paragraph, as~~
6 ~~voting members.~~
- 7 (2) ~~Five of the public members appointed pursuant to~~
8 ~~subsection 2, paragraph "b", and selected by the members~~
9 ~~specified under that paragraph, as voting members. Of the five~~
10 ~~public members, at least one member shall be a recipient of~~
11 ~~medical assistance.~~
- 12 (3) ~~The director of public health, or the director's~~

13 ~~designee, as a nonvoting member.~~
 14 ~~5. The executive committee shall meet on a monthly basis.~~
 15 ~~The director of public health and the public member serving as~~
 16 ~~co chairperson of the council shall serve as co chairpersons of~~
 17 ~~the executive committee.~~
 18 ~~e. 4. Based upon the deliberations of the council and the~~
 19 ~~executive committee, the executive committee council shall make~~
 20 recommendations to the director regarding the budget, policy,
 21 and administration of the medical assistance program.
 22 5. For each council meeting, other than those held during
 23 the time the general assembly is in session, each legislative
 24 member of the council shall be reimbursed for actual travel
 25 and other necessary expenses and shall receive a per diem as
 26 specified in section 7E.6 for each day in attendance, as shall
 27 the members of the council ~~or the executive committee~~ who are
 28 recipients or the family members of recipients of medical
 29 assistance, regardless of whether the general assembly is in
 30 session.
 31 6. The department shall provide staff support and
 32 independent technical assistance to the council ~~and the~~
 33 ~~executive committee.~~
 34 7. The director shall consider the recommendations offered
 35 by the council ~~and the executive committee~~ in the director's

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1 preparation of medical assistance budget recommendations to
 2 the council on human services pursuant to section 217.3 and in
 3 implementation of medical assistance program policies.
 4 DIVISION XIX
 5 MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY ADMITTED FOR
 6 PERMANENT RESIDENCE
 7 Sec. 92. MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY
 8 ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES WITHOUT
 9 APPLICATION OF FIVE-YEAR WAITING PERIOD.
 10 1. The department of human services shall seek a waiver from
 11 the centers for Medicare and Medicaid services of the United
 12 States department of health and human services to provide
 13 coverage under the Medicaid program for pregnant women lawfully
 14 admitted for permanent residence in the United States, without
 15 application of the five-year waiting period.
 16 2. If federal approval is received by the department, the
 17 department shall provide Medicaid coverage for pregnant women
 18 lawfully admitted for permanent residence in the United States,
 19 without application of the five-year waiting period, effective
 20 the first day of the month following the department's receipt
 21 of federal approval.
 22 DIVISION XX
 23 PROVISION OF CERTAIN SURGERIES OR PROCEDURES — EXEMPTION FROM
 24 REQUIRED ACCOMMODATIONS OR SERVICES
 25 Sec. 93. Section 216.7, Code 2019, is amended by adding the
 26 following new subsection:

27 NEW SUBSECTION. 3. This section shall not require any
28 state or local government unit or tax-supported district to
29 provide for sex reassignment surgery or any other cosmetic,
30 reconstructive, or plastic surgery procedure related to
31 transsexualism, hermaphroditism, gender identity disorder, or
32 body dysmorphic disorder.

33 Sec. 94. EFFECTIVE DATE. This division of this Act, being
34 deemed of immediate importance, takes effect upon enactment.

35 DIVISION XXI

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1 REVISION OF MEDICAID MANAGED CARE CONTRACTS — LIQUIDATED
2 DAMAGES

3 Sec. 95. REVISION OF MEDICAID MANAGED CARE CONTRACTS —
4 LIQUIDATED DAMAGES. The department shall revise the Medicaid
5 managed care contracts to include all of the following
6 provisions:

7 1. The assessment of liquidated damages for prior
8 authorization and claims payment system issues that were
9 reported by the managed care organization to the department
10 as corrected, but reoccurred within 60 days of the reported
11 correction.

12 2. The assessment of liquidated damages for the failure of
13 a managed care organization to complete provider credentialing
14 or to accurately load provider rosters as required in the
15 contract.

16 DIVISION XXII

17 HEALTH DATA COLLECTION AND USE

18 Sec. 96. Section 135.166, subsection 1, Code 2019, is
19 amended to read as follows:

20 1. *a.* The department of public health shall enter into
21 a memorandum of understanding ~~to utilize the Iowa hospital~~
22 ~~association with the contractor selected through a request for~~
23 ~~proposals process~~ to act as the department's intermediary in
24 collecting, maintaining, and disseminating hospital inpatient,
25 outpatient, and ambulatory data, as initially authorized in
26 1996 Iowa Acts, ch. 1212, §5, subsection 1, paragraph "a",
27 subparagraph (4), and 641 IAC 177.3.

28 *b.* The memorandum of understanding shall include but is not
29 limited to provisions that address the duties of the department
30 and the ~~Iowa hospital association contractor~~ regarding the
31 collection, reporting, disclosure, storage, and confidentiality
32 of the data.

33 Sec. 97. REQUEST FOR PROPOSALS PROCESS — TRANSITION. The
34 department of public health shall continue the memorandum of
35 understanding with the entity acting as intermediary on June

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1 30, 2019, pursuant to section 135.166, until the contractor
2 selected through a request for proposals process assumes the
3 duties of intermediary on January 1, 2021, as specified under
4 this division of this Act.

5 DIVISION XXIII
6 ELDORA STATE TRAINING SCHOOL

7 Sec. 98. Section 232.52, subsection 2, paragraph e,
8 unnumbered paragraph 1, Code 2019, is amended to read as
9 follows:

10 An order transferring the custody of the child, subject to
11 the continuing jurisdiction and custody of the court for the
12 purposes of section 232.54, to the director of the department
13 of human services for purposes of placement in the state
14 training school unless the state training school is unable to
15 accept placement of the child in the state training school,
16 or other facility, provided that the child is at least twelve
17 years of age and the court finds the placement to be in the best
18 interests of the child or necessary for the protection of the
19 public, and that the child has been found to have committed an
20 act which is a forcible felony, as defined in section 702.11,
21 or a felony violation of section 124.401 or chapter 707, or the
22 court finds any three of the following conditions exist:

23 DIVISION XXIV

24 DISTRIBUTION OF FEDERAL FUNDS — RESTRICTIONS — ABORTION

25 Sec. 99. DISTRIBUTION OF FEDERAL PUBLIC HEALTH SERVICES ACT
26 FUNDS FOR FAMILY PLANNING.

27 1. The department of public health shall annually apply
28 to the United States department of health and human services
29 for grant funding under Tit. X of the federal Public Health
30 Services Act, 42 U.S.C. §300 et seq. The department shall
31 distribute all grant funding received to applicants in the
32 following order of priority:

33 a. Public entities that provide family planning services
34 including state, county, or local community health clinics,
35 federally qualified health centers, and community action

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1 organizations.

2 b. Nonpublic entities that, in addition to family planning
3 services, provide required primary health services as described
4 in 42 U.S.C. §254b(b)(1)(A).

5 c. Nonpublic entities that provide family planning
6 services but do not provide required primary health services as
7 described in 42 U.S.C. §254b(b)(1)(A).

8 2. Distribution of funds under this section shall be made in
9 a manner that continues access to family planning services.

10 3. a. (1) Distribution of funds under this section shall
11 not be made to any entity that performs abortions, promotes
12 abortions, maintains or operates a facility where abortions are

13 performed or promoted, contracts or subcontracts with an entity
14 that performs or promotes abortions, becomes or continues to be
15 an affiliate of any entity that performs or promotes abortions,
16 or regularly makes referrals to an entity that provides or
17 promotes abortions or maintains or operates a facility where
18 abortions are performed. However, the prohibition specified
19 in this subparagraph (1) shall not be interpreted to include
20 a nonpublic entity that is a distinct location of a nonprofit
21 health care delivery system, if the distinct location provides
22 family planning services but does not perform abortions
23 or maintain or operate as a facility where abortions are
24 performed.

25 (2) The department of public health shall adopt rules
26 pursuant to chapter 17A to require that as a condition of
27 eligibility as an applicant under this section, each distinct
28 location of a nonprofit health care delivery system shall be
29 assigned a distinct provider identification number and complete
30 an attestation that abortions are not performed at the distinct
31 location.

32 b. For the purposes of this section, “nonprofit health
33 care delivery system” means an Iowa nonprofit corporation
34 that controls, directly or indirectly, a regional health
35 care network consisting of hospital facilities and various

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1 ambulatory and clinic locations that provide a range of
2 primary, secondary, and tertiary inpatient, outpatient, and
3 physician services.

4 c. For the purposes of this section, “abortion” does not
5 include any of the following:

6 (1) The treatment of a woman for a physical disorder,
7 physical injury, or physical illness, including a
8 life-endangering physical condition caused by or arising from
9 the pregnancy itself, that would, as certified by a physician,
10 place the woman in danger of death.

11 (2) The treatment of a woman for a spontaneous abortion,
12 commonly known as a miscarriage, when not all of the products
13 of human conception are expelled.

14 4. Funds distributed in accordance with this section shall
15 not be used for direct or indirect costs, including but not
16 limited to administrative costs or expenses, overhead, employee
17 salaries, rent, and telephone and other utility costs, related
18 to providing or promoting abortions as specified in this
19 section.

20 5. The department of public health shall submit a report to
21 the governor and the general assembly, annually by January 1,
22 listing any entities that received funds pursuant to subsection
23 1, paragraph “c”, and the amount and type of funds received by
24 such entities during the preceding calendar year. The report
25 shall provide a detailed explanation of how the department
26 determined that distribution of funds to such an entity,

27 instead of to an entity described in subsection 1, paragraph
28 “a” or “b”, was necessary to prevent severe limitation or
29 elimination of access to family planning services in the region
30 of the state where the entity is located.

31 Sec. 100. ADMINISTRATION OF PERSONAL RESPONSIBILITY
32 EDUCATION PROGRAM AND SEXUAL RISK AVOIDANCE EDUCATION GRANT
33 PROGRAM FUNDS.

34 1. Any contract entered into on or after July 1, 2019, by
35 the department of public health to administer the personal

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1 responsibility education program as specified in 42 U.S.C.
2 §713 or to administer the sexual risk avoidance education
3 grant program authorized pursuant to section 510 of Tit.
4 V of the federal Social Security Act, 42 U.S.C. §710, as
5 amended by section 50502 of the federal Bipartisan Budget
6 Act of 2018, Pub. L. No. 115-123, and as further amended by
7 division S, Title VII, section 701 of the federal Consolidated
8 Appropriations Act of 2018, Pub. L. No. 115-141, shall exclude
9 as an eligible applicant, any applicant entity that performs
10 abortions, promotes abortions, maintains or operates a
11 facility where abortions are performed or promoted, contracts
12 or subcontracts with an entity that performs or promotes
13 abortions, becomes or continues to be an affiliate of any
14 entity that performs or promotes abortions, or regularly makes
15 referrals to an entity that provides or promotes abortions or
16 maintains or operates a facility where abortions are performed.
17 However, the prohibition specified in this section shall not be
18 interpreted to include a nonpublic entity that is a distinct
19 location of a nonprofit health care delivery system, if the
20 distinct location provides personal responsibility education
21 program or sexual risk avoidance education grant program
22 services but does not perform abortions or maintain or operate
23 as a facility where abortions are performed.

24 2. The department of public health shall adopt rules
25 pursuant to chapter 17A to require that as a condition of
26 eligibility as an applicant, grantee, grantee contractor,
27 or grantee subcontractor under the personal responsibility
28 education program or sexual risk avoidance education grant
29 program, each distinct location of a nonprofit health care
30 delivery system shall be assigned a distinct identification
31 number and complete an attestation that abortions are not
32 performed at the distinct location.

33 3. For the purposes of this section, “nonprofit health
34 care delivery system” means an Iowa nonprofit corporation
35 that controls, directly or indirectly, a regional health

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1 care network consisting of hospital facilities and various
2 ambulatory and clinic locations that provide a range of
3 primary, secondary, and tertiary inpatient, outpatient, and
4 physician services.

5 4. For the purposes of this section, “abortion” does not
6 include any of the following:

7 a. The treatment of a woman for a physical disorder,
8 physical injury, or physical illness, including a
9 life-endangering physical condition caused by or arising from
10 the pregnancy itself, that would, as certified by a physician,
11 place the woman in danger of death.

12 b. The treatment of a woman for a spontaneous abortion,
13 commonly known as a miscarriage, when not all of the products
14 of human conception are expelled.

15 Sec. 101. AWARD OF COMMUNITY ADOLESCENT PREGNANCY
16 PREVENTION AND SERVICES PROGRAM GRANT FUNDS.

17 1. Any contract entered into on or after July 1, 2019,
18 by the department of human services to award a community
19 adolescent pregnancy prevention and services program grant
20 using federal temporary assistance for needy families block
21 grant funds appropriated to the department shall exclude
22 from eligibility any applicant, grantee, grantee contractor,
23 or grantee subcontractor that performs abortions, promotes
24 abortions, maintains or operates a facility where abortions are
25 performed or promoted, contracts or subcontracts with an entity
26 that performs or promotes abortions, becomes or continues to be
27 an affiliate of any entity that performs or promotes abortions,
28 or regularly makes referrals to an entity that provides or
29 promotes abortions or maintains or operates a facility where
30 abortions are performed.

31 2. The eligibility exclusion specified in subsection 1
32 shall not be interpreted to include a nonpublic entity that
33 is a distinct location of a nonprofit health care delivery
34 system, if the distinct location provides community adolescent
35 pregnancy prevention program services but does not perform

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1 abortions or maintain or operate as a facility where abortions
2 are performed.

3 3. The department of human services shall adopt rules
4 pursuant to chapter 17A to require that as a condition of
5 eligibility as an applicant, grantee, grantee contractor,
6 or grantee subcontractor under the adolescent pregnancy
7 prevention and services program, each distinct location of
8 a nonprofit health care delivery system shall be assigned a
9 distinct identification number and complete an attestation that
10 abortions are not performed at the distinct location.

11 4. For the purposes of this section, “nonprofit health
12 care delivery system” means an Iowa nonprofit corporation

13 that controls, directly or indirectly, a regional health
14 care network consisting of hospital facilities and various
15 ambulatory and clinic locations that provide a range of
16 primary, secondary, and tertiary inpatient, outpatient, and
17 physician services.

18 5. For the purposes of this section, “abortion” does not
19 include any of the following:

20 a. The treatment of a woman for a physical disorder,
21 physical injury, or physical illness, including a
22 life-endangering physical condition caused by or arising from
23 the pregnancy itself, that would, as certified by a physician,
24 place the woman in danger of death.

25 b. The treatment of a woman for a spontaneous abortion,
26 commonly known as a miscarriage, when not all of the products
27 of human conception are expelled.

28 Sec. 102. SEVERABILITY. If any provision of this division
29 of this Act or the application of this division of this Act to
30 any person or circumstances is held invalid, the invalidity
31 shall not affect other provisions or applications of this
32 division of this Act which can be given effect without the
33 invalid provisions or application and, to this end, the
34 provisions of this division of this Act are severable.

35 Sec. 103. EFFECTIVE DATE. This division of this Act, being

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1 deemed of immediate importance, takes effect upon enactment.

2 DIVISION XXV

3 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE 4 RATE ADD-ON PROGRAM

5 Sec. 104. Section 249L.2, subsections 7 and 8, Code 2019,
6 are amended to read as follows:

7 7. “*Non-state government-owned nursing facility*” means a
8 nursing facility that is owned or operated by a non-state
9 governmental entity and for which a non-state governmental
10 entity holds the nursing facility’s license and is party to the
11 nursing facility’s Medicaid contract.

12 8. “*Nursing facility*” means a licensed nursing facility as
13 defined in section 135C.1 that is a freestanding facility or
14 a nursing facility operated by a hospital licensed pursuant
15 to chapter 135B, but does not include a distinct-part skilled
16 nursing unit or a swing-bed unit operated by a hospital, or
17 a nursing facility owned by the state or federal government
18 or other governmental unit. “*Nursing facility*” includes a
19 non-state government-owned nursing facility if the nursing
20 facility participates in the non-state government-owned nursing
21 facility ~~upper payment limit alternative payment~~ quality of
22 care rate add-on program.

23 Sec. 105. NON-STATE GOVERNMENT-OWNED NURSING FACILITY
24 QUALITY OF CARE RATE ADD-ON PROGRAM.

25 1. As used in this section, unless the context otherwise
26 requires:

- 27 a. "Department" means the department of human services.
28 b. "Intergovernmental transfer" means a transfer of
29 state share funds from a non-state governmental entity to the
30 department of human services.
31 c. "Non-state governmental entity" or "NSGE" means a
32 hospital authority, hospital district, health care district,
33 city, or county.
34 d. "Non-state government-owned nursing facility" or "NSGO
35 nursing facility" means a nursing facility that is owned or

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- 1 operated by a non-state governmental entity and for which a
2 non-state governmental entity holds the nursing facility's
3 license and is party to the nursing facility's Medicaid
4 contract.
5 e. "Program" means the non-state government-owned nursing
6 facility quality of care rate add-on program described in this
7 section.
8 f. "Quality of care rate add-on calculation period" means
9 the fiscal year for which quality of care rate add-on amounts
10 are calculated based on adjudicated claims for days of service
11 provided.
12 g. "Upper payment limit" means a reasonable estimate of
13 the amount that would be paid for the services furnished by a
14 facility under Medicare payment principles.
15 2. The department of human services shall submit to the
16 centers for Medicare and Medicaid services of the United States
17 department of health and human services (CMS), a Medicaid state
18 plan amendment to allow a qualifying NSGE to receive a quality
19 of care rate add-on in accordance with the upper payment limit
20 requirements pursuant to 42 C.F.R. §447.272 and managed care
21 requirements pursuant to 42 C.F.R. §438.6.
22 3. The Medicaid state plan amendment submitted shall
23 provide for all of the following:
24 a. Purpose. The NSGO nursing facility quality of care rate
25 add-on shall be made to a qualified NSGE to promote, maintain,
26 and improve resident quality of care and health outcomes.
27 b. Non-state government-owned nursing facility
28 qualifications. An NSGO nursing facility shall qualify for
29 participation in the program if all of the following conditions
30 are met:
31 (1) The NSGE for the NSGO nursing facility has executed a
32 participation agreement with the department.
33 (2) The NSGE for the NSGO nursing facility has provided
34 proof that the entity holds the NSGO nursing facility's license
35 and has complete operational responsibility for the NSGO

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1 nursing facility.

2 (3) The NSGE for the NSGO nursing facility has filed a
3 certification of eligibility application for the quality of
4 care rate add-on program with the department and has received
5 approval from the department for participation in the program.

6 (4) The NSGO nursing facility is an active participant
7 in established Medicaid managed care value-based purchasing
8 programs and initiatives in the state.

9 (5) The NSGO nursing facility and the NSGE for the
10 NSGO nursing facility are in compliance with care criteria
11 requirements.

12 c. NSGE participation requirements. An NSGE shall qualify
13 for participation in the program if all of the following
14 conditions are met:

15 (1) The NSGE has executed a nursing facility provider
16 contract with an NSGO nursing facility.

17 (2) The NSGE has provided, and identified the source of,
18 state share dollars for the intergovernmental transfer.

19 (3) The NSGE has provided proof of ownership, if applicable,
20 as the licensed operator of the NSGO nursing facility.

21 (4) The NSGE has provided, to the department, an executed
22 management agreement between the NSGE and the NSGO nursing
23 facility manager.

24 d. Care criteria requirements. A participating NSGO
25 nursing facility shall comply with all of the following care
26 criteria quality metrics, shall adhere to all of the following
27 performance measures to improve the quality of care delivered
28 to residents and to improve efficiency and care avoidance costs
29 for the overall Medicaid program, and shall do all of the
30 following:

31 (1) Develop a written action plan that includes
32 satisfaction survey results, an analysis of the satisfaction
33 survey results with identification of areas in need of
34 improvement, and a process for addressing areas in need of
35 improvement.

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1 (2) Develop and implement, within six months of
2 commencement of participation in the program, a written plan
3 for the mitigation of unnecessary inpatient admissions within
4 30 days of a nursing facility discharge. The written plan
5 shall include or address all of the following:

6 (a) The inpatient admission management tool which
7 identifies those residents at high risk for the potential
8 return to acute care.

9 (b) The tools to support effective communications.

10 (c) Advance directive planning and implementation.

11 (d) Application of a quality assurance and program
12 integrity methodology to provide a root cause analysis and

13 identify teaching needs.

14 (3) Develop and implement a written plan providing for a
15 proactive pneumonia and influenza vaccination program which
16 shall improve vaccination scores above the national average,
17 as measured using CMS quality metrics. The written plan shall
18 include all of the following:

19 (a) The latest available three-quarter average of both the
20 CMS measure for the percent of long-stay residents assessed and
21 appropriately given the seasonal influenza vaccine and of the
22 CMS measure for the percentage of long-stay residents assessed
23 and appropriately given the pneumococcal vaccine, to establish
24 a baseline.

25 (b) The current measure code score for the CMS measures
26 described in subparagraph division (a).

27 (c) A written plan for an influenza and pneumonia
28 vaccination program to address new admissions and current
29 residents.

30 (4) Elevate healthy aging in the state by implementing
31 a plan that accomplishes at least one of the following
32 strategies:

33 (a) Prevention and reduction of falls.

34 (b) Improved nutrition.

35 (c) Increased physical activity.

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1 (d) Reduction in the incidence of depression.

2 (5) Demonstrate improvement above the facility-specific
3 baseline in the CMS five-star quality measures composite
4 scoring. Metrics shall be determined based upon the CMS
5 nursing home compare composite score over the preceding
6 twelve-month period.

7 (a) A participating NSGO nursing facility shall provide the
8 most recent three-quarter average of the CMS quality measure
9 star rating to establish a baseline.

10 (b) A participating NSGO nursing facility shall have a star
11 rating of three or better or must demonstrate improvement over
12 the previous quarter with no two quarters below three stars to
13 participate in the program.

14 (c) A participating NSGO nursing facility with a quality
15 measure star rating of three or better for the most recent
16 quarter or that demonstrates improvement in composite scoring
17 with no two quarters consistently below a three-star rating,
18 shall be deemed to have met the care criteria.

19 e. Quality of care rate add-on.

20 (1) The nursing facility quality of care rate add-on
21 provided to a participating NSGE under the program shall not
22 exceed Medicare payment principles pursuant to 42 C.F.R.
23 §447.272 and shall be calculated pursuant to 42 C.F.R. §438.6.
24 The quality of care rate add-on shall be calculated and paid
25 as follows:

26 (a) The methodology utilized to calculate the upper

27 payment limit shall be based on the data available during the
28 calculation period.

29 (b) The eligible amount used in determining the quality
30 of care rate add-on shall be the difference between the state
31 Medicaid payment and the Medicare upper payment limit as
32 determined, based on compliance with the care criteria metrics,
33 on an annual basis.

34 (c) The difference calculated under subparagraph division

35 (b) shall be divided by total patient days as determined under

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1 subparagraph division (b).

2 (d) The quality of care rate add-on shall be paid
3 prospectively.

4 (2) The amount of the quality of care rate add-on shall
5 be associated with improvement in care of Medicaid nursing
6 facility residents in the state as demonstrated through the
7 specified care criteria. A participating NSGE shall receive
8 payment under the program based on earned percentages related
9 to the care criteria. A participating NSGE shall meet or
10 exceed at least two of the five established care criteria
11 metrics to be eligible for the rate add-on payment for each
12 quarter. After at least two of the five metrics have been met,
13 the participating NSGE shall be eligible for seventy percent
14 of the total eligible quality of care rate add-on amount for a
15 participating NSGO nursing facility. The participating NSGE
16 may qualify for the remaining thirty percent of the total
17 eligible quality of care rate add-on amount, by attribution
18 in ten percent increments, for each additional care criterion
19 that is met up to the full one hundred percent of the eligible
20 quality of care rate add-on amount.

21 f. Change of ownership.

22 (1) A participating NSGO nursing facility shall notify
23 the department of any change of ownership that may affect the
24 participating NSGO nursing facility's continued eligibility for
25 the program, within thirty days after such change.

26 (2) If a participating NSGO nursing facility changes
27 ownership on or after the first day of the quality of care
28 rate add-on calculation period, the data used for calculations
29 shall include data from the participating NSGO nursing facility
30 for the entire quality of care rate add-on calculation period
31 relating to payments for days of service provided under the
32 prior owner, prorated to reflect only the number of calendar
33 days during the calculation period that the participating NSGO
34 nursing facility is owned by the new owner.

35 g. Payment to participating NSGO nursing facilities. A

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1 participating NSGO nursing facility shall secure allowable
2 intergovernmental transfer funds from a participating NSGE
3 to provide the state share amount. The process for the
4 intergovernmental transfer shall comply with the following:

5 (1) The department, or the department's designee, shall
6 notify the participating NSGE of the state share amount to be
7 transferred in the form of an intergovernmental transfer for
8 purposes of seeking federal financial participation for the
9 rate add-on payment, within twenty-five business days after
10 the end of a quarter. The amount shall reflect the percentage
11 of metrics achieved under the care criteria requirement. The
12 participating NSGE shall have five business days from the
13 date of receipt of the departmental notification to sign the
14 participation agreement and remit payment of the state share
15 amount in the form of an intergovernmental transfer to the
16 department or the department's designee.

17 (2) If the total intergovernmental transfer amount is
18 received by the department or the department's designee within
19 the five business days as specified, the quality of care rate
20 add-on shall be included in the current quarter per diem rate
21 calculation for the participating NSGO nursing facility.

22 h. Penalties and adjustments. Failure by a participating
23 NSGE to remit the full intergovernmental transfer amount or
24 the correct amount as indicated by the department or the
25 department's designee within the following defined time frames
26 indicates the participating NSGE has voluntarily elected to
27 withdraw from program participation for that current quarter
28 and must reapply for participation in the program in any
29 subsequent quarter. All of the following shall apply when
30 determining the application of penalties and adjustments:

31 (1) The total amount of the intergovernmental transfer
32 must be received from the participating NSGE by the department
33 or the department's designee within five business days from
34 receipt by the participating NSGE of notification from the
35 department or the department's designee of the state share

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1 amount.

2 (a) Receipt of the total intergovernmental transfer amount
3 by the department or the department's designee within five
4 business days is not subject to penalty.

5 (b) The date of receipt of notification of the state
6 share amount by the participating NSGE from the department or
7 the department's designee is the official reference date in
8 measuring the commencement of the five business days.

9 (2) Any intergovernmental transfer amount received by
10 the department or the department's designee after the fifth
11 business day as specified, but with a date stamp or mailing
12 postal mark indicating a date on or prior to five business

13 days from the date of notification by the department or the
14 department's designee of the state share amount, shall not be
15 subject to penalty.

16 (3)(a) Any intergovernmental transfer amount received by
17 the department or the department's designee after the fifth
18 business day as specified, but with a date stamp or postal mark
19 indicating a date after five business days but not exceeding
20 eight business days from the date of notification by the
21 department or the department's designee of the state share
22 amount, shall be deemed late and the participating NSGE shall
23 receive the quality of care rate add-on, including an assessed
24 penalty of five percent, based on the total intergovernmental
25 transfer payments received during the late period. The five
26 percent penalty shall be applied to the quality of care rate
27 add-on for the quarter in which the intergovernmental transfer
28 amount is late.

29 (b) The department shall notify the participating NSGE of
30 the assessed penalty in writing. If the participating NSGE
31 fails to pay the department or the department's designee the
32 assessed penalty within the time frame noted on the written
33 notice to the participating NSGE, the assessed penalty shall be
34 deducted in accordance with the state Medicaid fee-for-service
35 recoupment process. The penalty shall be paid regardless

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1 of any appeal requested by the participating NSGE. If an
2 appeal results in a decision to disallow a portion of or the
3 entire assessed penalty, reimbursement to the participating
4 NSGE shall be made as part of future Medicaid payments to the
5 participating NSGO nursing facility.

6 (4) If a participating NSGO nursing facility fails to
7 achieve, at a minimum, two of the required care criteria
8 metrics for two consecutive quarters, the participating NSGO
9 nursing facility shall be suspended from participation in the
10 program for two subsequent quarters. An NSGO nursing facility
11 that has been suspended for a total of four quarters within a
12 two-year period due to noncompliance with the required care
13 criteria shall be terminated from the program, and shall be
14 required to reapply for approval to participate at a subsequent
15 time. Readmittance into the program is at the sole discretion
16 of the department, taking into consideration input from
17 stakeholders. If the NSGO nursing facility is subsequently
18 readmitted to the program, terms of participation may include a
19 probationary period with defined requirements related to care.

20 4. The quality of care rate add-on shall only be implemented
21 upon receipt by the department of approval of the Medicaid
22 state plan amendment by CMS, and if such approval is received,
23 the rate add-on is applicable no earlier than the first day
24 of the calendar quarter following the date of receipt of such
25 approval.

26 Sec. 106. REPEAL. 2016 Iowa Acts, chapter 1139, sections

27 80, 81, 82, 83, and 84, are repealed.

28 Sec. 107. REPEAL. 2017 Iowa Acts, chapter 174, sections
29 113, 114, 115, and 116, are repealed.

30 Sec. 108. EFFECTIVE UPON ENACTMENT. This division of this
31 Act, being deemed of immediate importance, takes effect upon
32 enactment.

33 Sec. 109. IMPLEMENTATION PROVISIONS.

34 1. The section of this division of this Act directing the
35 department of human services to submit a Medicaid state plan

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1 amendment to CMS shall be implemented as soon as possible
2 following enactment, consistent with all applicable federal
3 requirements.

4 2. The section of this division of this Act amending
5 section 249L.2, shall only be implemented upon receipt by
6 the department of human services of approval of the Medicaid
7 state plan amendment by CMS, and if such approval is received,
8 is applicable no earlier than the first day of the calendar
9 quarter following the date of receipt of such approval.>>

MARK COSTELLO

S-3248

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 32, after line 21 by inserting:

4 <__. The Iowa public policy center shall review
5 reimbursement of Medicaid providers for obstetrical and
6 gynecological services to determine, in part, the adequacy of
7 reimbursement, relative to national data, in providing access
8 to care throughout the state, and shall report findings and
9 recommendations to the governor and the general assembly by
10 December 15, 2019.>

11 3. By renumbering, redesignating, and correcting internal
12 references as necessary.

JANET PETERSEN

S-3249

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 32, after line 21 by inserting:

4 <__. The department of human services shall review the
5 reimbursement paid under the supported community living tiered
6 rate reimbursement methodology for transportation services
7 utilized by members receiving daily supported community living
8 services. The review shall include a determination of the
9 rate necessary to reimburse transportation services at the

10 actual and reasonable cost of the service, to ensure long-term
11 provider sustainability and access. The study shall include
12 a review of the effects of insufficient reimbursement such as
13 reduction in other services and the shifting of reimbursement
14 for transportation costs to other funding streams such as the
15 county property tax levy. The department shall report findings
16 and recommendations to the governor and the general assembly
17 by December 15, 2019.>
18 2. By renumbering, redesignating, and correcting internal
19 references as necessary.

LIZ MATHIS
AMANDA RAGAN

S-3250

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 88, after line 7 by inserting:
4 <DIVISION ____
5 PROVIDER APPEALS PROCESS — EXTERNAL REVIEW
6 Sec. ____ MEDICAID MANAGED CARE ORGANIZATION APPEALS
7 PROCESS — EXTERNAL REVIEW.
8 1. a. A Medicaid managed care organization under contract
9 with the state shall include in any written response to
10 a Medicaid provider under contract with the managed care
11 organization that reflects a final adverse determination of the
12 managed care organization's internal appeal process relative to
13 an appeal filed by the Medicaid provider, all of the following:
14 (1) A statement that the Medicaid provider's internal
15 appeal rights within the managed care organization have been
16 exhausted.
17 (2) A statement that the Medicaid provider is entitled to
18 an external independent third-party review pursuant to this
19 section.
20 (3) The requirements for requesting an external independent
21 third-party review.
22 b. If a managed care organization's written response does
23 not comply with the requirements of paragraph "a", the managed
24 care organization shall pay to the affected Medicaid provider a
25 penalty not to exceed one thousand dollars.
26 2. a. A Medicaid provider who has been denied the provision
27 of a service to a Medicaid member or a claim for reimbursement
28 for a service rendered to a Medicaid member, and who has
29 exhausted the internal appeals process of a managed care
30 organization, shall be entitled to an external independent
31 third-party review of the managed care organization's final
32 adverse determination.
33 b. To request an external independent third-party review of
34 a final adverse determination by a managed care organization,
35 an aggrieved Medicaid provider shall submit a written request

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1 for such review to the managed care organization within sixty
2 calendar days of receiving the final adverse determination.
3 c. A Medicaid provider's request for such review shall
4 include all of the following:
5 (1) Identification of each specific issue and dispute
6 directly related to the final adverse determination issued by
7 the managed care organization.
8 (2) A statement of the basis upon which the Medicaid
9 provider believes the managed care organization's determination
10 to be erroneous.
11 (3) The Medicaid provider's designated contact information,
12 including name, mailing address, phone number, fax number, and
13 email address.
14 3. a. Within five business days of receiving a Medicaid
15 provider's request for review pursuant to this subsection, the
16 managed care organization shall do all of the following:
17 (1) Confirm to the Medicaid provider's designated contact,
18 in writing, that the managed care organization has received the
19 request for review.
20 (2) Notify the department of the Medicaid provider's
21 request for review.
22 (3) Notify the affected Medicaid member of the Medicaid
23 provider's request for review, if the review is related to the
24 denial of a service.
25 b. If the managed care organization fails to satisfy the
26 requirements of this subsection 3, the Medicaid provider shall
27 automatically prevail in the review.
28 4. a. Within fifteen calendar days of receiving a Medicaid
29 provider's request for external independent third-party review,
30 the managed care organization shall do all of the following:
31 (1) Submit to the department all documentation submitted
32 by the Medicaid provider in the course of the managed care
33 organization's internal appeal process.
34 (2) Provide the managed care organization's designated
35 contact information, including name, mailing address, phone

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1 number, fax number, and email address.
2 b. If a managed care organization fails to satisfy the
3 requirements of this subsection 4, the Medicaid provider shall
4 automatically prevail in the review.
5 5. An external independent third-party review shall
6 automatically extend the deadline to file an appeal for a
7 contested case hearing under chapter 17A, pending the outcome
8 of the external independent third-party review, until thirty
9 calendar days following receipt of the review decision by the
10 Medicaid provider.
11 6. Upon receiving notification of a request for external
12 independent third-party review, the department shall do all of

13 the following:

14 a. Assign the review to an external independent third-party
15 reviewer.

16 b. Notify the managed care organization of the identity of
17 the external independent third-party reviewer.

18 c. Notify the Medicaid provider's designated contact of the
19 identity of the external independent third-party reviewer.

20 7. The department shall deny a request for an external
21 independent third-party review if the requesting Medicaid
22 provider fails to exhaust the managed care organization's
23 internal appeals process or fails to submit a timely request
24 for an external independent third-party review pursuant to this
25 subsection.

26 8. a. Multiple appeals through the external independent
27 third-party review process regarding the same Medicaid
28 member, a common question of fact, or interpretation of common
29 applicable regulations or reimbursement requirements may
30 be combined and determined in one action upon request of a
31 party in accordance with rules and regulations adopted by the
32 department.

33 b. The Medicaid provider that initiated a request for
34 an external independent third-party review, or one or more
35 other Medicaid providers, may add claims to such an existing

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1 external independent third-party review following exhaustion
2 of any applicable managed care organization internal appeals
3 process, if the claims involve a common question of fact
4 or interpretation of common applicable regulations or
5 reimbursement requirements.

6 9. Documentation reviewed by the external independent
7 third-party reviewer shall be limited to documentation
8 submitted pursuant to subsection 4.

9 10. An external independent third-party reviewer shall do
10 all of the following:

11 a. Conduct an external independent third-party review
12 of any claim submitted to the reviewer pursuant to this
13 subsection.

14 b. Within thirty calendar days from receiving the request
15 for review from the department and the documentation submitted
16 pursuant to subsection 4, issue the reviewer's final decision
17 to the Medicaid provider's designated contact, the managed
18 care organization's designated contact, the department, and
19 the affected Medicaid member if the decision involves a denial
20 of service. The reviewer may extend the time to issue a final
21 decision by fourteen calendar days upon agreement of all
22 parties to the review.

23 11. The department shall enter into a contract with
24 an independent review organization that does not have a
25 conflict of interest with the department or any managed care
26 organization to conduct the independent third-party reviews

27 under this section.

28 a. A party, including the affected Medicaid member or
29 Medicaid provider, may appeal a final decision of the external
30 independent third-party reviewer in a contested case proceeding
31 in accordance with chapter 17A within thirty calendar days from
32 receiving the final decision. A final decision in a contested
33 case proceeding is subject to judicial review.

34 b. The final decision of any external independent
35 third-party review conducted pursuant to this subsection shall

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1 also direct the nonprevailing party to pay an amount equal to
2 the costs of the review to the external independent third-party
3 reviewer. Any payment ordered pursuant to this subsection
4 shall be stayed pending any appeal of the review. If the
5 final outcome of any appeal is to reverse the decision of the
6 external independent third-party review, the nonprevailing
7 party shall pay the costs of the review to the external
8 independent third-party reviewer within forty-five calendar
9 days of entry of the final order.>

10 2. By renumbering as necessary.

LIZ MATHIS
AMANDA RAGAN

S-3251

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 32, after line 21 by inserting:
4 <__. Of the funds appropriated in this section, the
5 department shall use a sufficient amount to audit all
6 prescription drug benefit claims managed by a pharmacy
7 benefit manager under the Medicaid program. The audit shall
8 address issues including but not limited to transparency of
9 data on pharmacy services, the relationship between pharmacy
10 reimbursement and overall costs to the Medicaid program or
11 spread pricing, any potential conflicts of interest related
12 to a retail pharmacy chain that is affiliated with a pharmacy
13 benefit manager and any reported reductions in pharmacy
14 reimbursements, and the impact of reduction in pharmacy
15 reimbursement on access to care, especially in rural areas.
16 The department shall report the findings and recommendations of
17 the audit to the governor and the general assembly by December
18 15, 2019.>

19 2. By renumbering, redesignating, and correcting internal
20 references as necessary.

JOE BOLKCOM

S-3252

- 1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:
- 3 1. Page 88, after line 7 by inserting:
4 <DIVISION ____
5 IOWA HEALTH AND WELLNESS PLAN — EMPLOYER INFORMATION
6 Sec. ____ COLLECTION OF EMPLOYER INFORMATION — IOWA
7 HEALTH AND WELLNESS PLAN. The department of human services
8 shall require an applicant for or recipient of Iowa health
9 and wellness plan coverage to provide the name and contact
10 information of the applicant's or recipient's employer at the
11 time of initial application and at any time the recipient's
12 employer changes. The department shall compile and publish on
13 the department's internet site, on a quarterly basis, a listing
14 of those employers who employ Iowa health and wellness plan
15 recipients, including the number of recipients employed by each
16 employer. For the purposes of the compiling and publishing
17 of information by the department of human services under this
18 section, "employer" means a person who employs twenty or more
19 employees, excluding part-time employees.>
20 2. By renumbering as necessary.

JOE BOLKCOM

S-3253

- 1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:
- 3 1. Page 32, after line 21 by inserting:
4 <____. The department of human services, in collaboration
5 with the department of public health, shall review
6 opportunities, including but not limited to application for a
7 federal Medicaid 1115 demonstration waiver or amendments to the
8 existing federal Medicaid 1915(b) waiver, to enhance access
9 to and reimbursement for substance use disorder treatment
10 services, particularly residential treatment and intensive
11 outpatient services. The departments shall report findings,
12 any budgetary impact, and recommendations to the governor
13 and the general assembly by December 15, 2019, and may apply
14 for such waivers or amendments if the departments determine
15 such waivers or amendments are cost neutral or provide cost
16 savings.>
- 17 2. Page 58, line 35, after <2019.> by inserting <However,
18 subject to available funds, the department may reimburse
19 members of the Iowa department of public health integrated
20 provider network in accordance with the alternative
21 reimbursement rate methodology for community mental health
22 centers approved by the department of human services in effect

23 on June 30, 2019.>

24 3. By renumbering, redesignating, and correcting internal
25 references as necessary.

AMANDA RAGAN

S-3254

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 88, after line 7 by inserting:

4 <DIVISION ____

5 MENTAL HEALTH AWARENESS — SUICIDE PREVENTION

6 Sec. ____ Section 256.11, subsection 5, paragraph j,
7 subparagraph (1), Code 2019, is amended to read as follows:

8 (1) One unit of health education which shall include
9 personal health; food and nutrition; environmental health;
10 safety and survival skills; consumer health; family life;
11 age-appropriate and research-based human growth and
12 development; substance abuse and nonuse; emotional and social
13 health, including mental health awareness, coping skills,
14 and suicide prevention; health resources; and prevention
15 and control of disease, including age-appropriate and
16 research-based information regarding sexually transmitted
17 diseases, including HPV and the availability of a vaccine to
18 prevent HPV, and acquired immune deficiency syndrome.>

19 2. By renumbering as necessary.

LIZ MATHIS

S-3255

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 51, line 7, by striking <55,396,906> and inserting
4 <56,021,906>

5 2. Page 51, line 8, by striking <1,539.00> and inserting
6 <1,551.00>

7 3. Page 51, line 11, by striking <caseloads and> and
8 inserting <caseloads,>

9 4. Page 51, line 13, after <system> by inserting <,
10 and 12.00 master instructor training specialist full-time
11 equivalent positions to be assigned proportionately across the
12 state resource centers, mental health institutes, and the state
13 training school, to provide experiential staff training>

14 5. Page 88, after line 7 by inserting:

15 <DIVISION ____

16 REVIEW OF PROGRAMS AND FACILITIES UNDER THE PURVIEW OF THE
17 DEPARTMENT OF HUMAN SERVICES

18 Sec. ____ REVIEW OF PROGRAMS AND FACILITIES UNDER THE
19 PURVIEW OF THE DEPARTMENT OF HUMAN SERVICES. The legislative
20 council shall establish a legislative interim committee to

21 review the environments, conditions, and policies of, and the
22 staffing for, facilities and programs under the purview of the
23 department of human services, including but not limited to
24 the institutions controlled by the department and privately
25 managed facilities and programs both on and not attached to the
26 campus of the main institution as program developments require,
27 pursuant to section 218.1. The interim committee shall
28 perform site visits and receive testimony from the department,
29 consumers, and other stakeholders, and shall report findings
30 and recommendations regarding ongoing oversight, staffing, and
31 policy changes to protect the rights and meet the needs of
32 consumers and their families receiving services, and to provide
33 trained, accountable, sufficient staff for the programs and
34 facilities.>
35 6. By renumbering as necessary.

NATE BOULTON

S-3256

1 Amend Senate File 631 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 INCOME TAX
6 Section 1. Section 422.4, subsection 16, paragraph e,
7 unnumbered paragraph 1, Code 2019, is amended to read as
8 follows:
9 Add back the following percentage of the qualified business
10 income ~~deduction deductions~~ under ~~section 199A~~ sections 199A(a)
11 and 199A(g) of the Internal Revenue Code taken and allowable in
12 calculating federal taxable income for the applicable tax year:
13 Sec. 2. Section 422.9, subsection 2A, paragraph a,
14 unnumbered paragraph 1, Code 2019, is amended to read as
15 follows:
16 The following percentage of the qualified business income
17 ~~deduction deductions~~ under ~~section 199A~~ sections 199A(a) and
18 199A(g) of the Internal Revenue Code taken and allowable in
19 calculating federal taxable income for the applicable tax year:
20 Sec. 3. Section 422.9, subsection 2A, paragraph b, Code
21 2019, is amended to read as follows:
22 b. Notwithstanding paragraph “a”, and section 422.4,
23 subsection 16, paragraph “e”, for an entity electing or
24 required to file a composite return under section 422.13,
25 subsection 5, the deduction allowed under this subsection for
26 purposes of the composite return shall be an amount equal to
27 the applicable percentage described in paragraph “a” of the
28 ~~deduction deductions~~ that would be allowable for federal income
29 tax purposes under ~~section 199A~~ sections 199A(a) and 199A(g) of
30 the Internal Revenue Code by an individual taxpayer reporting
31 the same items of income and loss that are included in the
32 composite return.

33 Sec. 4. Section 422.11S, subsection 7, paragraph b, Code
34 2019, is amended to read as follows:
35 b. The department shall authorize a school tuition

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1 organization to issue tax credit certificates for contributions
2 made to the school tuition organization. The aggregate amount
3 of tax credit certificates that the department shall authorize
4 for a school tuition organization for a ~~tax~~ calendar year shall
5 be determined for that organization pursuant to subsection 8.
6 However, a school tuition organization shall not be authorized
7 to issue tax credit certificates unless the organization is
8 controlled by a board of directors consisting of at least
9 seven members. The names and addresses of the members shall
10 be provided to the department and shall be made available
11 by the department to the public, notwithstanding any state
12 confidentiality restrictions.

13 Sec. 5. Section 422.11S, subsection 8, paragraph a,
14 subparagraph (2), Code 2019, is amended to read as follows:
15 (2) *"Total approved tax credits"* means for the ~~tax year~~
16 ~~beginning in the~~ 2006 calendar year, two million five hundred
17 thousand dollars, for the ~~tax year beginning in the~~ 2007
18 calendar year, five million dollars, for ~~tax~~ calendar years
19 beginning on or after January 1, 2008, but before January 1,
20 2012, seven million five hundred thousand dollars, for ~~tax~~
21 calendar years beginning on or after January 1, 2012, but
22 before January 1, 2014, eight million seven hundred fifty
23 thousand dollars, ~~and for~~ ~~tax~~ calendar years beginning on or
24 after January 1, 2014, but before January 1, 2019, twelve
25 million dollars, and for ~~tax~~ calendar years beginning on or
26 after January 1, 2019, thirteen million dollars.

27 Sec. 6. Section 422.11S, subsection 8, paragraph b,
28 unnumbered paragraph 1, Code 2019, is amended to read as
29 follows:

30 Each year by December 1, the department shall authorize
31 school tuition organizations to issue tax credit certificates
32 for the following ~~tax~~ calendar year. However, for the ~~tax year~~
33 ~~beginning in the~~ 2006 calendar year only, the department, by
34 September 1, 2006, shall authorize school tuition organizations
35 to issue tax credit certificates for the 2006 calendar ~~tax~~

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1 year. For the ~~tax year beginning in the~~ 2006 calendar year
2 only, each school served by a school tuition organization shall
3 submit a participation form to the department by August 1,
4 2006, providing the certified enrollment as of the third Friday
5 of September 2005, along with the school tuition organization
6 that represents the school. Tax credit certificates available
7 for issue by each school tuition organization shall be
8 determined in the following manner:

9 Sec. 7. Section 422.11S, subsection 9, unnumbered paragraph
10 1, Code 2019, is amended to read as follows:

11 A school tuition organization that receives a voluntary cash
12 or noncash contribution pursuant to this section shall report
13 to the department, on a form prescribed by the department,
14 by January 12 of each ~~tax~~ calendar year all of the following
15 information:

16 Sec. 8. Section 422.11S, subsection 9, paragraphs b and c,
17 Code 2019, are amended to read as follows:

18 b. The total number and dollar value of contributions
19 received and the total number and dollar value of the tax
20 credits approved during the previous ~~tax~~ calendar year.

21 c. A list of the individual donors for the previous ~~tax~~
22 calendar year that includes the dollar value of each donation
23 and the dollar value of each approved tax credit.

24 Sec. 9. Section 422.12C, subsection 4, Code 2019, is amended
25 to read as follows:

26 4. Married taxpayers who have filed joint federal returns
27 electing to file separate returns or to file separately on a
28 combined return form must determine the child and dependent
29 care credit under subsection 1 or the early childhood
30 development tax credit under subsection 2 based upon their
31 combined net income and allocate the total credit amount to
32 each spouse in the proportion that each spouse's respective net
33 income bears to the total combined net income. Nonresidents or
34 part-year residents of Iowa must determine their Iowa child and
35 dependent care credit under subsection 1 or the early childhood

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1 development tax credit under subsection 2 in the ratio of
2 their Iowa source net income to their all source net income.
3 Nonresidents or part-year residents who are married and elect
4 to file separate returns or to file separately on a combined
5 return form must allocate the Iowa child and dependent care
6 credit under subsection 1 or the early childhood development
7 tax credit under subsection 2 between the spouses in the ratio
8 of each spouse's Iowa source net income to the combined Iowa
9 source net income of the taxpayers.

10 Sec. 10. Section 422.60, subsection 2, paragraph b, Code
11 2019, is amended by adding the following new subparagraph:
12 NEW SUBPARAGRAPH. (6) For purposes of this paragraph,
13 "*Internal Revenue Code*" means the Internal Revenue Code of
14 1954, prior to the date of its redesignation as the Internal
15 Revenue Code of 1986 by the Tax Reform Act of 1986, or means
16 the Internal Revenue Code of 1986 as amended and in effect on
17 December 21, 2017. This definition shall not be construed to
18 include any amendment to the Internal Revenue Code enacted
19 after the date specified in the preceding sentence, including
20 any amendment with retroactive applicability or effectiveness.

21 Sec. 11. LIKE-KIND EXCHANGES OF PERSONAL PROPERTY
22 UNDER CORPORATE INCOME TAX AND FRANCHISE TAX FOR TAX YEAR

23 2019. Notwithstanding any other provision of law to the
24 contrary, all of the following shall apply when computing net
25 income for purposes of the corporation income tax or franchise
26 tax under section 422.35 for tax years beginning during the
27 2019 calendar year:

28 1. The rules for nonrecognition of gain or loss from
29 exchanges of real property held for productive use or
30 investment and not held primarily for sale, as provided in
31 section 1031 of the Internal Revenue Code, as amended up to and
32 including March 24, 2018, apply for state income tax purposes
33 with regard to exchanges of real property.

34 2. The rules for nonrecognition of gain or loss from
35 exchanges of property other than real property held for

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1 productive use or investment as provided in section 1031 of the
2 Internal Revenue Code, as amended up to and including December
3 21, 2017, apply for state income tax purposes, notwithstanding
4 any other provision of law to the contrary. If the taxpayer's
5 federal taxable income includes gain or loss from property,
6 other than real property described in subsection 1, and the
7 taxpayer elects to have this subsection apply, the following
8 adjustments shall be made:

9 a.(1) Subtract the total amount of gain related to the
10 sale or exchange of the property as properly reported for
11 federal tax purposes under the Internal Revenue Code.

12 (2) Add back any gain related to the sale or exchange of the
13 property to the extent such gain does not qualify for deferral
14 under section 1031 of the Internal Revenue Code, as amended
15 up to and including December 21, 2017, which gain shall be
16 calculated using the taxpayer's adjusted basis in the property
17 for state tax purposes.

18 b.(1) Add the total amount of loss related to the sale or
19 exchange of the property as properly reported for federal tax
20 purposes under the Internal Revenue Code.

21 (2) Subtract any loss related to the sale or exchange of the
22 property to the extent such loss does not qualify for deferral
23 under section 1031 of the Internal Revenue Code, as amended
24 up to and including December 21, 2017, which loss shall be
25 calculated using the taxpayer's adjusted basis in the property
26 for state tax purposes.

27 c. Any other adjustments to gains, losses, deductions, or
28 tax basis for the property given up or received in the sale or
29 exchange pursuant to rules adopted by the director.

30 Sec. 12. REFUNDS — EARLY CHILDHOOD DEVELOPMENT TAX
31 CREDIT. Notwithstanding any provision of law to the contrary,
32 for tax years beginning prior to January 1, 2019, refunds of
33 the early childhood development tax credit provided in section
34 422.12C, subsection 2, requested on or after the effective
35 date of the provision of this division of this Act amending

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1 section 422.12C, subsection 4, shall not exceed the amount
2 allowed under section 422.12C, subsection 4, as amended by this
3 division of this Act.

4 Sec. 13. LEGISLATIVE INTENT. It is the intent of the
5 general assembly that the provisions of this division of
6 this Act amending section 422.11S are conforming amendments
7 consistent with current state law, and that the amendments do
8 not change the application of current law but instead reflect
9 current law both before and after the enactment of this Act.

10 Sec. 14. EFFECTIVE DATE. The following, being deemed of
11 immediate importance, take effect upon enactment:

12 1. The section of this division of this Act amending section
13 422.12C, subsection 4.

14 2. The section of this division of this Act relating to
15 refunds for the early childhood development tax credit.

16 3. The section of this division of this Act relating to
17 like-kind exchanges of personal property under corporate income
18 tax and franchise tax.

19 Sec. 15. RETROACTIVE APPLICABILITY. The following apply
20 retroactively to January 1, 2019, for tax years beginning on
21 or after that date:

22 1. The section of this division of this Act amending section
23 422.4, subsection 16, paragraph “e”, unnumbered paragraph 1.

24 2. The sections of this division of this Act amending
25 section 422.9, subsection 2A.

26 3. The section of this division of this Act amending section
27 422.12C, subsection 4.

28 4. The section of this division of this Act amending section
29 422.60, subsection 2, paragraph “b”.

30 Sec. 16. RETROACTIVE APPLICABILITY — LIKE-KIND EXCHANGES
31 OF PERSONAL PROPERTY. The section of this division of this
32 Act relating to like-kind exchanges of personal property under
33 corporate income tax and franchise tax applies retroactively to
34 January 1, 2019, for tax years beginning on or after that date,
35 but before January 1, 2020.

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1 DIVISION II
2 ADMINISTRATIVE PROVISIONS

3 Sec. 17. Section 422.20, Code 2019, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 5. The department may permit, by rule, the
6 disclosure of state tax information to a person a taxpayer has
7 authorized to receive such state tax information, in the manner
8 prescribed by the department.

9 Sec. 18. Section 422.72, Code 2019, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 8. The department may permit, by rule, the
12 disclosure of state tax information to a person a taxpayer has

13 authorized to receive such state tax information, in the manner
14 prescribed by the department.

15 DIVISION III

16 SALES AND USE TAX

17 Sec. 19. Section 423.1, subsection 2, paragraphs b and c,
18 Code 2019, are amended to read as follows:

19 *b.* Is directly, indirectly, or constructively controlled by
20 another ~~entity person~~.

21 *c.* Is subject to the control of a common ~~entity person~~. A
22 common ~~entity person~~ is ~~one which a person who~~ owns directly
23 or ~~individually indirectly~~ more than ten percent of the voting
24 securities of the entity.

25 Sec. 20. Section 423.2, subsection 1, paragraph a,
26 subparagraph (5), subparagraph division (a), Code 2019, is
27 amended to read as follows:

28 (a) If a service or warranty contract does not specify a fee
29 amount for nontaxable services or taxable personal property,
30 the tax imposed pursuant to this section shall be imposed upon
31 an amount equal to ~~one-half of~~ the sales price of the contract.

32 Sec. 21. Section 423.2, subsection 6, paragraph k, Code
33 2019, is amended to read as follows:

34 *k.* Carpentry repair and installation.

35 Sec. 22. Section 423.3, Code 2019, is amended by adding the

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1 following new subsection:

2 NEW SUBSECTION. 16A. *a.* The sales price from the sale of
3 a grain bin, including material or replacement parts used to
4 construct or repair a grain bin.

5 *b.* For purposes of this subsection, “*grain bin*” means
6 property that is vented and covered with corrugated metal or
7 similar material, and that is primarily used to hold loose
8 grain for drying or storage.

9 Sec. 23. Section 423.3, subsection 47, paragraph c,
10 subparagraph (3), Code 2019, is amended by striking the
11 subparagraph and inserting in lieu thereof the following:

12 (3) The following within the scope of section 427A.1,
13 subsection 1, paragraphs “*h*” and “*i*”:

14 (a) Computers.

15 (b) Machinery.

16 (c) Equipment, including pollution control equipment.

17 (d) Replacement parts.

18 (e) Supplies.

19 (f) Materials used to construct or self-construct the

20 following:

21 (i) Computers.

22 (ii) Machinery.

23 (iii) Equipment, including pollution control equipment.

24 (iv) Replacement parts.

25 (v) Supplies.

26 Sec. 24. Section 423.3, subsection 104, paragraph a, Code

27 2019, is amended to read as follows:

28 α . The sales price of specified digital products and of
29 prewritten computer software sold, and of enumerated services
30 described in section 423.2, subsection 1, paragraph “a”,
31 subparagraph (5), or section 423.2, subsection 6, paragraphs
32 “*bq*”, “*br*”, “*bs*”, and “*bu*” furnished, to a commercial enterprise
33 for use exclusively by the commercial enterprise. The use of
34 prewritten computer software, a specified digital product, or
35 service fails to qualify as a use exclusively by the commercial

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1 enterprise if its use for noncommercial purposes is more than
2 de minimis.

3 Sec. 25. Section 423.14A, subsection 3, paragraph b, Code
4 2019, is amended by striking the paragraph.

5 Sec. 26. Section 423.14A, subsection 3, paragraph d,
6 subparagraph (1), Code 2019, is amended to read as follows:

7 (1) A marketplace facilitator that makes or facilitates
8 Iowa sales on its own behalf or for one or more marketplace
9 sellers equal to or exceeding one hundred thousand dollars,
10 ~~or in two hundred or more separate transactions~~, for an
11 immediately preceding calendar year or a current calendar year.

12 Sec. 27. Section 423.14A, subsection 3, paragraph e,
13 subparagraph (1), unnumbered paragraph 1, Code 2019, is amended
14 to read as follows:

15 A referrer if, for any immediately preceding calendar year
16 or a current calendar year, one hundred thousand dollars or
17 more in Iowa sales ~~or two hundred or more separate Iowa sales~~
18 ~~transactions~~ result from referrals from a platform of the
19 referrer. A referrer is not required to collect and remit
20 sales and use tax pursuant to this paragraph if the referrer
21 does all of the following:

22 Sec. 28. Section 423.14A, subsection 3, paragraph e,
23 subparagraph (1), subparagraph division (c), unnumbered
24 paragraph 1, Code 2019, is amended to read as follows:

25 The referrer provides the department with ~~monthly~~ annual
26 reports in an electronic format and in the manner prescribed
27 by the department, which ~~monthly~~ annual reports contain all of
28 the following:

29 Sec. 29. Section 423.14A, subsection 3, paragraph e, Code
30 2019, is amended by adding the following new subparagraph:

31 NEW SUBPARAGRAPH. (5) This paragraph is subject to
32 implementation by the department by rule and shall not require
33 a referrer to collect tax or comply with the notice and
34 reporting requirements and other provisions of this paragraph
35 unless and until such administrative rules take effect.

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1 Sec. 30. Section 423.48, subsection 2, paragraph c, Code
2 2019, is amended by striking the paragraph.

3 Sec. 31. TAXATION AND EXEMPTION OF COMPUTERS TASK FORCE. A
4 taxation and exemption of computers task force is created. The
5 department of revenue shall initiate and coordinate the task
6 force and provide staff assistance. It is the intent of the
7 general assembly that the task force include representatives of
8 the department of revenue; a commercial enterprise that claims
9 an exemption for computers under section 423.3, subsection
10 47; an association that represents manufacturers and other
11 industrial producers; and an association that represents
12 business tax issues. The director of revenue or the director's
13 designee shall serve as chairperson of the task force.

14 The task force shall be charged with reviewing the
15 definition of "computer" as used throughout the portions of the
16 Iowa Code and the Iowa Administrative Code administered by the
17 department of revenue including the exemption for computers
18 provided in section 423.3, subsection 47, paragraph "a",
19 subparagraph (4). If the task force recommends modifications
20 to the current definition of "computer" including the exemption
21 for computers provided in section 423.3, subsection 47,
22 paragraph "a", subparagraph (4), the department of revenue
23 shall provide any recommendations to the general assembly by
24 January 1, 2020.

25 Sec. 32. EFFECTIVE DATE. The following, being deemed of
26 immediate importance, take effect upon enactment:

27 1. The section of this division of this Act amending section
28 423.1, subsection 2, paragraphs "b" and "c".

29 2. The section of this division of this Act amending section
30 423.3, subsection 47, paragraph "c", subparagraph (3).

31 Sec. 33. RETROACTIVE APPLICABILITY. The following applies
32 retroactively to January 1, 2019, for tax years beginning on
33 or after that date:

34 The section of this division of this Act amending section
35 423.1, subsection 2, paragraphs "b" and "c".

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1 Sec. 34. RETROACTIVE APPLICABILITY. The following applies
2 retroactively to January 1, 2016, for tax years beginning on
3 or after that date:

4 The section of this division of this Act amending section
5 423.3, subsection 47, paragraph "c", subparagraph (3).

6 DIVISION IV

7 AUTOMOBILE RENTAL EXCISE TAX

8 Sec. 35. Section 423.14A, subsection 1, paragraph b,
9 subparagraph (3), Code 2019, is amended to read as follows:

10 (3) A ~~"rental platform", as defined in section 423C.2, that~~
11 ~~meets the requirements described in~~ person who is not required
12 to collect and remit automobile rental excise tax pursuant to

13 section 423C.3, subsection 3, ~~paragraph “e”, subparagraph (2),~~
14 shall not be considered a “*marketplace facilitator*” with respect
15 to any sale of a transportation service under section 423.2,
16 subsection 6, paragraph “*bf*”, or section 423.5, subsection 1,
17 paragraph “*e*”, consisting of the rental of vehicles subject
18 to registration which are registered for a gross weight of
19 thirteen tons or less for a period of sixty days or less.

20 Sec. 36. Section 423C.2, subsection 3, paragraphs a and b,
21 Code 2019, are amended to read as follows:

22 a. A person or any affiliate of a person that owns or
23 controls an automobile and makes the automobile available for
24 rent through the person or any affiliate, or through ~~a rental~~
25 ~~platform or rental facilitator~~ any other person.

26 b. A person or any affiliate of a person who possesses or
27 acquires a right or interest in any automobile with an intent
28 to rent the automobile to another person, or through the person
29 ~~or any affiliate, or through a rental platform or a rental~~
30 ~~facilitator~~ any other person.

31 Sec. 37. Section 423C.2, subsection 6, Code 2019, is amended
32 to read as follows:

33 6. “*Facilitation fee*” means any consideration, by whatever
34 name called, that a ~~rental facilitator or a rental platform~~
35 person charges to a user for facilitating the user’s rental

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1 of an automobile. “*Facilitation fee*” does not include any
2 commission an automobile provider pays to a ~~rental facilitator~~
3 ~~or a rental platform~~ person for facilitating the rental of an
4 automobile.

5 Sec. 38. Section 423C.2, Code 2019, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 6A. “*Host*” means the registered owner of an
8 automobile made available for sharing through a peer-to-peer
9 automobile sharing marketplace.

10 Sec. 39. Section 423C.2, subsections 9 and 10, Code 2019,
11 are amended by striking the subsections.

12 Sec. 40. Section 423C.2, subsection 11, Code 2019, is
13 amended to read as follows:

14 11. “*Rental price*” means ~~all consideration charged for~~
15 ~~the renting and facilitation of renting of an automobile~~
16 ~~before taxes, including but not limited to facilitation fees,~~
17 ~~reservation fees, services fees, nonrefundable deposits, and~~
18 ~~any other direct or indirect charge made or consideration~~
19 ~~provided in connection with the renting or facilitation of~~
20 ~~renting of an automobile~~ the same as “sales price” as defined
21 in section 423.1, which term includes but is not limited
22 to facilitation fees, reservation fees, services fees,
23 nonrefundable deposits, and any other direct or indirect charge
24 made or consideration provided in connection with the renting
25 or facilitation of renting an automobile.

26 Sec. 41. Section 423C.3, Code 2019, is amended to read as

27 follows:

28 **423C.3 Tax on rental of automobiles — collection and**
29 **remittance of tax.**

30 **1. For purposes of this section:**

31 *a. “Discount rental charge” means the amount an automobile*
32 *provider charges to a rental facilitator for the rental of an*
33 *automobile, excluding any applicable tax.*

34 *b. “Travel package” means an automobile rental bundled*
35 *with one or more separate components such as lodging, air*

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1 *transportation, or similar items and charged for a single*
2 *retail price.*

3 ~~2.~~ 1. A tax of five percent is imposed upon the rental
4 price of an automobile if the rental transaction is subject to
5 the sales ~~and services~~ tax under chapter 423, subchapter II, or
6 the use tax under chapter 423, subchapter III. The tax shall
7 not be imposed on any rental transaction not taxable under the
8 state sales ~~and services~~ tax, as provided in section 423.3, or
9 the state use tax, as provided in section 423.6, on automobile
10 rental receipts.

11 ~~3. 2. This subsection shall govern the collection and~~
12 ~~remittance of the tax imposed under subsection 2~~ The tax
13 imposed under subsection 1 shall be collected and remitted to
14 the department by all persons required to collect state sales
15 and use tax on the rental transaction under chapter 423.

16 *a. Unless otherwise provided in this subsection, the*
17 *automobile provider shall collect the tax by adding the tax to*
18 *the rental price of the automobile and the tax, when collected,*
19 *shall be stated as a distinct item separate and apart from*
20 *the rental price of the automobile and the sales and services*
21 *tax imposed under chapter 423, subchapter II, or the use tax*
22 *imposed under chapter 423, subchapter III.*

23 *b. If a transaction for the rental of an automobile involves*
24 *a rental facilitator, all of the following shall occur in the*
25 *order prescribed:*

26 *(1) The rental facilitator shall collect the tax on any*
27 *rental price that the user pays to the rental facilitator in*
28 *the same manner as an automobile provider under paragraph “a”.*

29 *(2) (a) Unless otherwise required by rule or order of*
30 *the department, the rental facilitator shall remit to the*
31 *automobile provider that portion of the tax collected on the*
32 *rental price that represents the discount rental charge.*

33 *(b) No assessment shall be made against a rental facilitator*
34 *for tax due on a discount rental charge if the rental*
35 *facilitator collected the tax and remitted it to an automobile*

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1 provider that has a valid tax permit required under this
2 chapter or under chapter 423. This subparagraph division shall
3 not apply if the rental facilitator and automobile provider
4 are affiliates, or if the department requires the rental
5 facilitator to remit taxes collected on that portion of the
6 sales price that represents the discount rental charge directly
7 to the department.

8 (3) The rental facilitator shall remit any remaining tax it
9 collected to the department.

10 (4)(a) The automobile provider shall collect and remit
11 to the department any taxes the rental facilitator remitted to
12 the automobile provider, and shall collect and remit to the
13 department any taxes due on any amount of rental price the user
14 paid to the automobile provider.

15 (b) No assessment shall be made against an automobile
16 provider for any tax due on a discount rental charge that
17 was not remitted to the automobile provider by a rental
18 facilitator. This subparagraph division shall not apply if the
19 automobile provider and the rental facilitator are affiliates.

20 (5) Notwithstanding any other provision of this paragraph
21 to the contrary, if a rental facilitator and its affiliates
22 facilitate total rentals under this chapter and chapter
23 423A that are equal to or less than an aggregate amount of
24 rental price and sales price of ten thousand dollars for an
25 immediately preceding calendar year or a current calendar year,
26 or in ten or fewer separate transactions for an immediately
27 preceding calendar year or a current calendar year, the
28 rental facilitator shall not be required to collect tax on the
29 amount of sales price that represents the rental facilitator's
30 facilitation fee.

31 e.(1) If a transaction for the rental of an automobile
32 involves a rental platform, other than a rental platform
33 described in subparagraph (2), the rental platform shall
34 collect and remit the tax imposed under this chapter in the
35 same manner as an automobile provider under paragraph "a".

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1 (2) ~~3. A rental platform person~~ is not required to collect
2 and remit the tax imposed under this chapter ~~in the same manner~~
3 ~~as an automobile provider under paragraph "a"~~ if the rental
4 platform person meets all of the following requirements:

5 a. The person or any affiliate of the person is not an
6 automobile provider.

7 b. The person or any affiliate of the person facilitates
8 the renting or sharing of an automobile by doing all of the
9 following:

10 (1) The person owns, operates, or controls a peer-to-peer
11 automobile sharing marketplace that allows a host or an
12 automobile provider who is not an affiliate of the person

13 to offer or list an automobile for sharing or rent on the
14 marketplace. For purposes of this paragraph, it is immaterial
15 whether or not the automobile provider has a tax permit under
16 this chapter or chapter 423 or whether the automobile is owned
17 by a natural person or by a business entity.
18 (2) The person or affiliate of the person collects or
19 processes the rental price charged to the user.
20 (a) c. The only sales the rental platform person and
21 its affiliates of the person facilitate that are subject to
22 tax under chapter 423 are sales of a transportation service
23 under section 423.2, subsection 6, paragraph “bf”, or section
24 423.5, subsection 1, paragraph “e”, consisting of the rental
25 of vehicles subject to registration which are registered for
26 a gross weight of thirteen tons or less for a period of sixty
27 days or less.
28 ~~(b) The rental platform operates a peer to peer automobile~~
29 ~~sharing marketplace.~~
30 ~~(3) 4. For any rental transaction for which the rental~~
31 ~~platform a person~~ is required to or elects to collect and
32 remit the tax under this chapter, the rental platform person
33 shall also be liable for the collection and remittance of any
34 sales or use tax due on that transaction under section 423.2,
35 subsection 6, paragraph “bf”, or section 423.5, subsection

Page 16

1 1, paragraph “e”, notwithstanding any other provision to the
2 contrary in chapter 423.
3 ~~(4) 5. For any rental transaction for which the rental~~
4 ~~platform person~~ is not required to collect and remit the
5 tax under this chapter as provided under ~~subparagraph (2)~~
6 subsection 3, the automobile provider shall be solely liable
7 for any amount of uncollected or unremitted tax under this
8 chapter and chapter 423.

DIVISION V

TELEPHONE COMPANY PROPERTY

11 Sec. 42. NEW SECTION. 433.4A Competitive long distance
12 telephone company property.

13 For assessment years beginning before January 1, 2022,
14 the director of revenue shall assess the property of a long
15 distance telephone company, as defined in section 476.1D,
16 subsection 10, Code 2018, previously classified by the
17 utilities board as a competitive long distance telephone
18 company under section 476.1D, subsection 10, Code 2018, which
19 property is first assessed for taxation in this state on or
20 after January 1, 1996, in the same manner as all other property
21 assessed as commercial property by the local assessor under
22 chapters 427, 427A, 427B, 428, and 441.

23 Sec. 43. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.

25 Sec. 44. RETROACTIVE APPLICABILITY. This division of this
26 Act applies retroactively to July 1, 2018.

27 DIVISION VI
28 TARGETED JOBS WITHHOLDING CREDIT
29 Sec. 45. Section 403.19A, subsection 3, paragraph c,
30 subparagraph (2), Code 2019, is amended to read as follows:
31 (2) The pilot project city and the economic development
32 authority shall not enter into a withholding agreement after
33 June 30, ~~2019~~ 2021.
34 DIVISION VII
35 SCHOOL TUITION ORGANIZATION TAX CREDITS

Page 17

1 Sec. 46. Section 422.11S, subsection 8, paragraph a,
2 subparagraph (2), Code 2019, is amended to read as follows:
3 (2) *"Total approved tax credits"* means for the tax year
4 beginning in the 2006 calendar year, two million five hundred
5 thousand dollars, for the tax year beginning in the 2007
6 calendar year, five million dollars, for tax years beginning
7 on or after January 1, 2008, but before January 1, 2012, seven
8 million five hundred thousand dollars, for tax years beginning
9 on or after January 1, 2012, but before January 1, 2014, eight
10 million seven hundred fifty thousand dollars, ~~and~~ for tax years
11 beginning on or after January 1, 2014, but before January 1,
12 2019, twelve million dollars, ~~and~~ for tax years beginning on
13 or after January 1, 2019, but before January 1, 2020, thirteen
14 million dollars, and for tax years beginning on or after
15 January 1, 2020, fifteen million dollars.
16 Sec. 47. CONTINGENT CODE EDITOR DIRECTIVE. The Code editor
17 is directed to harmonize the section of this division of this
18 Act amending section 422.11S with the other division of this
19 Act amending section 422.11S, if enacted, by changing tax year
20 to calendar year where appropriate and to make other related
21 changes, if necessary, to effectuate such changes.
22 DIVISION VIII
23 INCOME TAX CHECKOFFS
24 Sec. 48. Section 173.22, subsection 2, Code 2019, is amended
25 to read as follows:
26 2. A foundation fund is created within the state treasury
27 composed of moneys appropriated or available to and obtained or
28 accepted by the foundation. The foundation fund shall include
29 moneys credited to the fund as provided in section ~~422.12D~~
30 422.12I.
31 Sec. 49. Section 422.12E, Code 2019, is amended to read as
32 follows:
33 **422.12E Income tax return checkoffs limited.**
34 1. ~~For tax years beginning on or after January 1, 2019,~~
35 ~~there~~ There shall be allowed no more than four income tax

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1 return checkoffs on each income tax return. For tax years
2 beginning on or after January 1, 2017, when the same four
3 income tax return checkoffs have been provided on the income
4 tax return for two consecutive tax years, the two checkoffs for
5 which the least amount has been contributed, in the aggregate
6 for the first tax year and through March 15 after the end of the
7 second tax year, are repealed on December 31 after the end of
8 the second tax year and shall be removed from the return form.

9 2. If more checkoffs are enacted in the same session of
10 the general assembly than there is space for inclusion on the
11 individual tax return form, the checkoffs with the earliest
12 enacted checkoffs date of enactment as determined pursuant
13 to section 3.7 for which there is space for inclusion on the
14 return form shall be included on the return form, and all other
15 checkoffs enacted during that session of the general assembly
16 are repealed on December 31 of the year of enactment. If
17 more checkoffs are enacted in the same session of the general
18 assembly than there is space for inclusion on the individual
19 income tax form and the additional checkoffs are enacted on
20 the same day and it is indeterminable which checkoffs have
21 the earliest date of enactment pursuant to section 3.7, the
22 director shall determine which checkoffs shall be included on
23 the return form, and all other checkoffs not included on the
24 return form shall be repealed on December 31 of the year of
25 enactment and shall not be included on the return form.

26 3.a. By July 1 of the year in which two checkoffs are
27 repealed pursuant to subsection 1, the department shall notify
28 the Iowa Code editor which two checkoffs received the least
29 amount of contributions and are repealed.

30 b. By September 1 of any applicable year, the department
31 shall notify the Iowa Code editor of any repeal pursuant to
32 subsection 2.

33 Sec. 50. **NEW SECTION. 422.12G Joint income tax checkoff for**
34 **veterans trust fund and volunteer fire fighter preparedness fund.**

35 1. A person who files an individual or a joint income tax

Page 19

1 return with the department of revenue under section 422.13 may
2 designate one dollar or more to be paid jointly to the veterans
3 trust fund created in section 35A.13 and to the volunteer fire
4 fighter preparedness fund created in section 100B.13. If the
5 refund due on the return or the payment remitted with the
6 return is insufficient to pay the additional amount designated
7 by the taxpayer, the amount designated shall be reduced to the
8 remaining amount of refund or the remaining amount remitted
9 with the return. The designation of a contribution under this
10 section is irrevocable.

11 2. The director of revenue shall draft the income tax form
12 to allow the designation of contributions to the veterans trust

13 fund and to the volunteer fire fighter preparedness fund as
14 one checkoff on the tax return. The department of revenue,
15 on or before January 31, shall transfer one-half of the total
16 amount designated on the tax return forms due in the preceding
17 calendar year to the veterans trust fund and the remaining
18 one-half to the volunteer fire fighter preparedness fund.
19 However, before a checkoff pursuant to this section shall be
20 permitted, all liabilities on the books of the department of
21 administrative services and accounts identified as owing under
22 section 8A.504 shall be satisfied.

23 3. The department of revenue shall adopt rules to administer
24 this section.

25 4. This section is subject to repeal under section 422.12E.

26 Sec. 51. Section 422.12H, Code 2019, is amended to read as
27 follows:

28 **422.12H Income tax checkoff for fish and game protection**
29 **fund.**

30 1. A person who files an individual or a joint income tax
31 return with the department of revenue under section 422.13 may
32 designate a contribution to the state fish and game protection
33 fund authorized pursuant to section 456A.16.

34 2. This section is subject to repeal under section 422.12E.

35 Sec. 52. NEW SECTION. **422.12I Income tax checkoff for the**

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1 **Iowa state fair foundation fund.**

2 1. A person who files an individual or a joint income tax
3 return with the department of revenue under section 422.13
4 may designate one dollar or more to be paid to the foundation
5 fund of the Iowa state fair foundation as established in
6 section 173.22. If the refund due on the return or the payment
7 remitted with the return is insufficient to pay the amount
8 designated by the taxpayer to the foundation fund, the amount
9 designated shall be reduced to the remaining amount of the
10 refund or the remaining amount remitted with the return. The
11 designation of a contribution to the foundation fund under this
12 section is irrevocable.

13 2. The director of revenue shall draft the income tax form
14 to allow the designation of contributions to the foundation
15 fund on the tax return. The department, on or before January
16 31, shall transfer the total amount designated on the tax
17 form due in the preceding year to the foundation fund.
18 However, before a checkoff pursuant to this section shall be
19 permitted, all liabilities on the books of the department of
20 administrative services and accounts identified as owing under
21 section 8A.504 shall be satisfied.

22 3. The Iowa state fair board may authorize payment from
23 the foundation fund for purposes of supporting foundation
24 activities.

25 4. The department of revenue shall adopt rules to implement
26 this section.

27 5. This section is subject to repeal under section 422.12E.

28 DIVISION IX

29 POWERS AND DUTIES OF DIRECTOR OF REVENUE

30 Sec. 53. Section 421.17, Code 2019, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 35. To audit and examine all taxes
33 collected or administered by the department.

34 DIVISION X

35 SALES AND USE TAX EXEMPTIONS RELATED TO MANUFACTURERS

Page 21

1 Sec. 54. Section 423.3, subsection 47, paragraph d,
2 subparagraph (4), subparagraph division (c), unnumbered
3 paragraph 1, Code 2019, is amended to read as follows:

4 “*Manufacturer*” does not include persons who are not commonly
5 understood as manufacturers, including but not limited to
6 persons primarily engaged in any of the following activities:

7 Sec. 55. EFFECTIVE DATE. This division of this Act, being
8 deemed of immediate importance, takes effect upon enactment.

9 Sec. 56. RETROACTIVE APPLICABILITY. This division of this
10 Act applies retroactively to May 30, 2018.

11 DIVISION XI

12 RESEARCH ACTIVITIES TAX CREDIT

13 Sec. 57. Section 422.10, subsection 1, paragraph a,
14 subparagraph (1), subparagraph division (a), Code 2019, is
15 amended to read as follows:

16 (a) The business is engaged in the manufacturing, life
17 sciences, agriscience, software engineering, or aviation and
18 aerospace industry.

19 Sec. 58. Section 422.10, subsection 1, paragraph a,
20 subparagraph (1), subparagraph division (b), unnumbered
21 paragraph 1, Code 2019, is amended to read as follows:

22 Persons that shall not be considered to be engaged in
23 the manufacturing, life sciences, agriscience, software
24 engineering, or aviation and aerospace industry, and thus are
25 not eligible for the credit, include but are not limited to all
26 of the following:

27 Sec. 59. Section 422.33, subsection 5, paragraph e,
28 subparagraph (1), subparagraph division (a), Code 2019, is
29 amended to read as follows:

30 (a) The business is engaged in the manufacturing, life
31 sciences, agriscience, software engineering, or aviation and
32 aerospace industry.

33 Sec. 60. Section 422.33, subsection 5, paragraph e,
34 subparagraph (1), subparagraph division (b), unnumbered
35 paragraph 1, Code 2019, is amended to read as follows:

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1 Persons that shall not be considered to be engaged in
2 the manufacturing, life sciences, agriscience, software
3 engineering, or aviation and aerospace industry, and thus are
4 not eligible for the credit, include but are not limited to all
5 of the following:

6 DIVISION XII
7 ADOPTION TAX CREDIT

8 Sec. 61. Section 422.12A, subsection 2, Code 2019, is
9 amended to read as follows:

10 2. The taxes imposed under this division, less the credits
11 allowed under section 422.12, shall be reduced by an adoption
12 tax credit equal to the amount of qualified adoption expenses
13 paid or incurred by the taxpayer ~~during the tax year~~ in
14 connection with the adoption of a child by the taxpayer, not to
15 exceed five thousand dollars per adoption.

16 Sec. 62. Section 422.12A, Code 2019, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 3A. The credit under this section with
19 respect to any qualified adoption expense shall be allowed
20 during a tax year as follows:

21 a. For any qualified adoption expense paid or incurred prior
22 to or during the tax year in which the adoption becomes final,
23 the tax year in which the adoption becomes final.

24 b. For any qualified adoption expense paid or incurred after
25 the tax year in which the adoption becomes final, the tax year
26 in which an adoption expense is paid or incurred.

27 Sec. 63. RETROACTIVE APPLICABILITY. This division of this
28 Act applies retroactively to January 1, 2019, for tax years
29 beginning on or after that date.

30 DIVISION XIII
31 UTILITY REPLACEMENT TASK FORCE

32 Sec. 64. Section 437A.15, subsection 7, paragraph b, Code
33 2019, is amended to read as follows:

34 b. The task force shall study the effects of the replacement
35 taxes under this chapter and chapter 437B on local taxing

Page 23

1 authorities, local taxing districts, consumers, and taxpayers
2 through January 1, ~~2019~~ 2024. If the task force recommends
3 modifications to the replacement tax that will further the
4 purposes of tax neutrality for local taxing authorities, local
5 taxing districts, taxpayers, and consumers, consistent with the
6 stated purposes of this chapter, the department of management
7 shall transmit those recommendations to the general assembly.

8 DIVISION XIV
9 FRANCHISE TAX — ALTERNATIVE MINIMUM TAX (AMT) REPEAL

10 Sec. 65. Section 422.60, subsection 2, Code 2019, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. c. This subsection is repealed January 1,

13 2021, for tax years beginning on or after that date.

14 Sec. 66. Section 422.60, subsection 3, Code 2019, is amended
15 to read as follows:

16 3. a. (1) ~~There~~ For tax years beginning before January 1,
17 2022, there is allowed as a credit against the tax determined
18 in section 422.63 for a tax year an amount equal to the minimum
19 tax credit for that tax year.

20 (2) The minimum tax credit for a tax year is the excess,
21 if any, of the net minimum tax imposed for all prior tax years
22 beginning on or after January 1, 1987, but before January
23 1, 2021, over the amount allowable as a credit under this
24 subsection for those prior tax years.

25 b.(1) The allowable credit under paragraph "a" for a tax
26 year beginning before January 1, 2021, shall not exceed the
27 excess, if any, of the tax determined in section 422.63 over
28 the state alternative minimum tax as determined in subsection
29 2. The allowable credit under paragraph "a" for a tax year
30 beginning in the 2021 calendar year shall not exceed the tax
31 determined in section 422.63.

32 (2) The net minimum tax for a tax year is the excess, if
33 any, of the tax determined in subsection 2 for the tax year
34 over the tax determined in section 422.63 for the tax year.

35 c. This subsection is repealed January 1, 2022, for tax

Page 24

1 years beginning on or after that date.

2 DIVISION XV

3 GEOTHERMAL HEAT PUMP TAX CREDIT

4 Sec. 67. NEW SECTION. 422.12N Geothermal heat pump tax
5 credit.

6 1. The taxes imposed under this division, less the credits
7 allowed under section 422.12, shall be reduced by a geothermal
8 heat pump tax credit equal to twenty percent of the federal
9 residential energy efficient property tax credit allowed for
10 geothermal heat pumps provided in section 25D(a)(5) of the
11 Internal Revenue Code for residential property located in Iowa.

12 2. Any credit in excess of the tax liability is not
13 refundable but the excess for the tax year may be credited
14 to the tax liability for the following ten years or until
15 depleted, whichever is earlier.

16 3. The department shall accept and approve applications
17 on a first-come, first-served basis until the maximum amount
18 of tax credits that may be claimed pursuant to subsection 4
19 is reached. If for a tax year the aggregate amount of tax
20 credits applied for exceeds the amount specified in subsection
21 4, the department shall establish a wait list for tax credits.
22 Valid applications filed by the taxpayer by May 1 following the
23 year of the installation but not approved by the department
24 shall be placed on a wait list in the order the applications
25 were received and those applicants shall be given priority
26 for having their applications approved in succeeding years.

27 Placement on a wait list pursuant to this subsection shall not
28 constitute a promise binding the state. The availability of a
29 tax credit and approval of a tax credit application pursuant
30 to this section in a future year is contingent upon the
31 availability of tax credits in that particular year.
32 4.a. The cumulative value of tax credits claimed annually
33 by applicants pursuant to this section shall not exceed one
34 million dollars.
35 b. If an amount of tax credits available for a tax year

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1 pursuant to paragraph "a" goes unclaimed, the amount of the
2 unclaimed tax credits shall be made available for the following
3 tax year in addition to, and cumulated with, the amount
4 available pursuant to paragraph "a" for the following tax year.
5 5. The director of revenue shall adopt rules to implement
6 this section.
7 Sec. 68. EFFECTIVE DATE. This division of this Act, being
8 deemed of immediate importance, takes effect upon enactment.
9 Sec. 69. RETROACTIVE APPLICABILITY. This division of this
10 Act applies retroactively to January 1, 2019, for tax years
11 beginning on or after that date.
12 DIVISION XVI
13 MONEYS AND CREDITS TAX ON STATE CREDIT UNIONS
14 Sec. 70. Section 533.329, subsection 2, paragraph a, Code
15 2019, is amended to read as follows:
16 a. The moneys and credits tax on state credit unions is
17 imposed at a rate of one-half cent on each dollar of the legal
18 and special reserves that are required to be maintained by the
19 state credit union under section 533.303, ~~and shall be levied~~
20 ~~by the board of supervisors and placed upon the tax list and~~
21 ~~collected by the county treasurer.~~ However, an exemption shall
22 be given to each state credit union in the amount of forty
23 thousand dollars.>
24 2. Title page, by striking lines 1 through 12 and inserting
25 <An Act relating to the administration of the tax and related
26 laws by the department of revenue, including the administration
27 and modification of certain tax credits and refunds, the
28 individual and corporate income taxes, franchise taxes, moneys
29 and credits taxes, sales and use taxes, and automobile rental
30 excise taxes, the assessment of property owned by certain
31 long distance telephone companies, establishing a taxation
32 and exemption of computers task force, extending the utility
33 replacement task force, and providing for other properly
34 related matters, making penalties applicable, and including
35 effective date and retroactive applicability provisions.>

RANDY FEENSTRA

S-3257

1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 88, after line 7 by inserting:
4 <DIVISION ____
5 MEDICAID MANAGED CARE TO FEE-FOR-SERVICE TRANSITION —
6 LONG-TERM SERVICES AND SUPPORTS
7 Sec. ____ . TERMINATION OF MEDICAID MANAGED CARE CONTRACTS
8 RELATIVE TO LONG-TERM SERVICES AND SUPPORTS POPULATION —
9 TRANSITION TO FEE-FOR-SERVICE. The department of human
10 services shall, upon the effective date of this division
11 of this Act, provide written notice in accordance with the
12 termination provisions of the contract, to each managed care
13 organization with whom the department executed a contract to
14 administer the Iowa high quality health care initiative as
15 established by the department, to terminate such contracts as
16 applicable to the Medicaid long-term services and supports
17 population, following a sixty-day transition period. The
18 department shall transfer the long-term services and supports
19 population to the Medicaid fee-for-service payment and delivery
20 system. The transition shall be based on a transition plan
21 developed by the department and submitted to the council on
22 human services and the medical assistance advisory council
23 for review. The department of human services shall seek any
24 Medicaid state plan or waiver amendments necessary to complete
25 the transition.
26 Sec. ____ . EFFECTIVE DATE. This division of this Act, being
27 deemed of immediate importance, takes effect upon enactment.>
28 2. By renumbering as necessary.

PAM JOCHUM
TONY BISIGNANO
JOE BOLKCOM
NATE BOULTON
CLAIRE CELSI
WILLIAM A. DOTZLER, JR.
ERIC GIDDENS
ROBERT M. HOGG
KEVIN KINNEY
JIM LYKAM
LIZ MATHIS
JANET PETERSEN
HERMAN C. QUIRMBACH
AMANDA RAGAN
JACKIE SMITH
RICH TAYLOR
TODD TAYLOR
ZACH WAHLS

S-3258

- 1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 88, after line 7 by inserting:
4 <DIVISION ____
5 CHILDCARE ASSISTANCE — ELIGIBILITY
6 Sec. ____ DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES — CHILD
7 CARE ASSISTANCE — FAMILY INCOME ELIGIBILITY REQUIREMENT.
8 1. The department of human services shall amend its
9 administrative rules pursuant to chapter 17A to provide income
10 eligibility for state child care assistance, according to
11 family size for children needing basic care, to families whose
12 nonexempt gross monthly income does not exceed one hundred
13 fifty percent of the federal poverty level, effective January
14 1, 2020.
15 2. The rules adopted pursuant to this section shall take
16 effect January 1, 2020.>
17 2. By renumbering as necessary.

AMANDA RAGAN
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JOE BOLKCOM
NATE BOULTON
CLAIRE CELSI
WILLIAM A. DOTZLER, JR.
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S-3259

- 1 Amend the amendment, S-3201, to House File 766, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 26, line 21, by striking <1,425,334,812> and
4 inserting <1,432,334,812>
5 2. Page 53, line 35, by striking <20,479,942> and inserting
6 <27,479,942>

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S-3260

HOUSE AMENDMENT TO
SENATE FILE 603

- 1 Amend Senate File 603, as passed by the Senate, as follows:
2 1. Page 1, line 28, by striking <and> and inserting <or>
3 2. Page 2, line 8, after <"e"> by inserting <However, the
4 provisions of this paragraph "c" relating to a sharing agreement
5 for a unit of science or mathematics are applicable only if all
6 of the following conditions are met:
7 (1) The school district has made every reasonable and
8 good-faith effort to employ a teacher licensed under chapter
9 272 for the science or mathematics unit, as applicable, and
10 is unable to employ such a teacher. For purposes of this
11 paragraph "c", "good-faith effort" means the same as defined in
12 section 279.19A, subsection 9.
13 (2) Enrollment for the unit exceeds five pupils.
14 (3) The unit is offered during the regular school day.
15 (4) The unit is made accessible by the school district to
16 all eligible pupils.>
17 3. Page 2, by striking lines 27 and 28 and inserting
18 <agreements for mathematics and science units.>
19 4. By striking page 2, line 34, through page 3, line 9, and
20 inserting <subsection 5, paragraph "a", or one of the units in
21 accordance with section 256.11, subsection 5, paragraph "d" or
22 "e", and if the unit of coursework under the agreement meets
23 the requirements specified in section 257.11, subsection 3,
24 paragraph "b", subparagraphs (2) through (7), the unit offered
25 shall be deemed to meet the education program requirement
26 for a unit of mathematics or science, as applicable, under
27 section 256.11, subsection 5, paragraph "a", "d", or "e". The
28 provisions of this subsection are applicable only if all of the
29 following conditions are met:
30 a. The school district has made every reasonable and
31 good-faith effort to employ a teacher licensed under chapter
32 272 for the unit of science or mathematics, as applicable,

33 and is unable to employ such a teacher. For purposes of this
 34 subsection, “*good-faith effort*” means the same as defined in
 35 section 279.19A, subsection 9.

Page 2

1 b. Enrollment for the unit exceeds five pupils.
 2 c. The unit is offered during the regular school day.
 3 d. The unit is made accessible by the school district to all
 4 eligible pupils.>
 5 5. Page 3, after line 19 by inserting:
 6 <Sec. ____APPLICABILITY. The section of this division
 7 of this Act amending section 257.11, subsection 3, paragraph
 8 “b”, unnumbered paragraph 1, applies to certifications by the
 9 school budget review committee under section 257.11, subsection
 10 3, paragraph “b”, occurring before, on, or after the effective
 11 date of this division of this Act for school budget years
 12 beginning on or after July 1, 2019.>
 13 6. Page 3, line 22, by striking <COLLEGES — APPROPRIATION>
 14 and inserting <COLLEGES>
 15 7. Page 4, line 17, after <school> by inserting <However,
 16 the accredited nonpublic school need not meet requirements
 17 for career and technical education more stringent than the
 18 requirements of section 256.11B.>
 19 8. Page 4, by striking line 27 and inserting <subsection 5,
 20 paragraphs “a”, “d”, or “e”, or section 256.11B.>
 21 9. Page 4, line 28, by striking <A> and inserting <Subject
 22 to an appropriation of funds by the general assembly for this
 23 purpose. a>
 24 10. Page 4, line 34, by striking <subsection 5.>
 25 11. Page 5, line 23, by striking <The> and inserting
 26 <Subject to an appropriation of funds by the general assembly
 27 for this purpose. the>
 28 12. Page 5, by striking lines 29 through 35 and inserting
 29 <subsection 3, paragraph “b”. If the amount appropriated
 30 annually for purposes of this paragraph “b” is insufficient
 31 to pay to community colleges the full amount for students
 32 concurrently enrolled in a community college in accordance with
 33 this paragraph “b”, the department shall annually prorate the
 34 amount for payments to community colleges for the concurrent
 35 enrollment of accredited nonpublic students under this

Page 3

1 paragraph “b”. A community college shall decrease the>
 2 13. Page 6, after line 3 by inserting:
 3 <DIVISION ____
 4 SEXUAL EXPLOITATION BY A SCHOOL EMPLOYEE — DEFINITION
 5 Sec. ____ Section 709.15, subsection 1, paragraph f,
 6 subparagraph (1), Code 2019, is amended by adding the following
 7 new subparagraph division:
 8 NEW SUBPARAGRAPH DIVISION. (f) A person employed by a

9 community college full-time, part-time, or as a substitute who
 10 provides instruction to high school students under a concurrent
 11 enrollment program offered in accordance with section 257.11
 12 or 261E.8.>

13 14. Title page, by striking lines 1 through 7 and inserting:
 14 <An Act relating to use of concurrent enrollment programs
 15 for teaching certain subjects required under the educational
 16 standards, to the enrollment of pupils under concurrent
 17 enrollment program agreements between certain accredited
 18 nonpublic schools and community colleges, and to the criminal
 19 offense of sexual exploitation by a school employee providing
 20 instruction under a concurrent enrollment program, making
 21 penalties applicable, and including retroactive and other
 22 applicability provisions.>

23 15. By renumbering as necessary.>

S-3261

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 760

1 Amend the Senate amendment, H-1316, to House File 760, as
 2 amended, passed, and reprinted by the House, as follows:

3 1. Page 1, by striking lines 7 through 10 and inserting:
 4 <1. The sales price from the renting of lodging ~~which is~~
 5 ~~rented by the same person~~ to a person where the lodging is
 6 rented by the same person for a period of more than thirty-one
 7 consecutive days, and where a landlord tenant relationship
 8 exists.>

S-3262

HOUSE AMENDMENT TO SENATE FILE 638

1 Amend Senate File 638, as amended, passed, and reprinted by
 2 the Senate, as follows:

3 1. Page 19, after line 15 by inserting:

4 <DIVISION ____
 5 ELECTIONS

6 Sec. ____ 2019 Iowa Acts, House File 692, section 33, if
 7 enacted, is amended to read as follows:

8 SEC. 33. EFFECTIVE DATE.

9 1. This division of this Act, being deemed of immediate
 10 importance, takes effect upon enactment.

11 2. Notwithstanding subsection 1, the section of this
 12 division of this Act amending section 39.2 takes effect July
 13 1, 2019.

14 Sec. ____ EFFECTIVE DATE. This division of this Act, being
 15 deemed of immediate importance, takes effect upon enactment.

16 Sec. ____ RETROACTIVE APPLICABILITY. This division of this

17 Act applies retroactively to the date of enactment of 2019 Iowa
18 Acts, House File 692, if enacted.>
19 2. Page 19, after line 15 by inserting:
20 <DIVISION ____
21 JUDICIAL NOMINATING COMMISSION MODERNIZATION
22 Sec. ____ Section 46.1, Code 2019, is amended to read as
23 follows:
24 **46.1 Appointment of state judicial nominating commissioners.**
25 1. The governor shall appoint, subject to confirmation by
26 the senate, ~~one eligible elector of each congressional district~~
27 nine eligible electors to the state judicial nominating
28 commission ~~for a six year term beginning and ending as provided~~
29 ~~in section 69.19.~~
30 2. The appointments made by the governor shall be
31 staggered terms of six years each and shall begin and end
32 in even-numbered years as provided in section 69.19. The
33 terms of no more than three nor less than two of the ~~members~~
34 commissioners shall expire within the same two-year period.
35 3. No more than a simple majority of the ~~members~~

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1 commissioners appointed by the governor shall be of the same
2 gender.
3 4. All commissioners shall be chosen without reference to
4 political affiliation.
5 5. There shall be at least one commissioner appointed by
6 the governor from each congressional district and there shall
7 not be more than two commissioners appointed by the governor
8 from a single congressional district unless each congressional
9 district has at least two commissioners appointed by the
10 governor.
11 6. A commissioner who has served a full six-year term on the
12 state judicial nominating commission, whether the commissioner
13 was appointed or elected, shall be ineligible to be appointed
14 to a second six-year term.
15 7. No person may be appointed who holds an office of
16 profit of the United States or of the state at the time of
17 appointment.
18 Sec. ____ Section 46.2, Code 2019, is amended by striking
19 the section and inserting in lieu thereof the following:
20 **46.2 Election of state judicial nominating commissioners.**
21 1. The resident members of the bar of each congressional
22 district shall elect two eligible electors of different genders
23 to the state judicial nominating commission.
24 2. The commissioners elected by the bar shall serve
25 staggered terms of six years each and shall be elected in the
26 month of January for terms commencing July 1 of odd-numbered
27 years. The terms of no more than three of the commissioners
28 shall expire within the same two-year period.
29 3. All of the commissioners elected by the bar shall be
30 chosen without reference to political affiliation.

- 31 4. A commissioner who has served a full six-year term on the
32 state judicial nominating commission, whether the commissioner
33 was appointed or elected, shall be ineligible to be elected to
34 a second six-year term.
35 5. No person may be elected who holds an office of profit of

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- 1 the United States or of the state at the time of election.
2 Sec. ____ Section 46.2A, Code 2019, is amended by striking
3 the section and inserting in lieu thereof the following:
4 **46.2A Special appointment of state judicial nominating**
5 **commissioners and transition provisions.**
6 1. The initial term of the ninth commissioner appointed by
7 the governor shall begin on the effective date of this division
8 of this Act and shall expire on April 30, 2024.
9 2. After the initial term is served pursuant to subsection
10 1, a new commissioner shall be appointed by the governor to a
11 six-year term as provided in section 46.1.
12 3. The terms of any commissioner currently serving on
13 the state judicial nominating commission or any commissioner
14 already elected to begin serving on July 1, 2019, shall not be
15 affected by this Act.
16 Sec. ____ Section 46.5, Code 2019, is amended to read as
17 follows:
18 **46.5 Vacancies.**
19 1. When a vacancy occurs in the office of an appointive
20 judicial nominating commissioner, the chairperson of the
21 particular commission shall promptly notify the governor in
22 writing of such fact or the governor may take note of such a
23 vacancy. Vacancies in the office of an appointive judicial
24 nominating commissioner shall be filled by appointment by the
25 governor, consistent with eligibility requirements. The term
26 of state judicial nominating commissioners so appointed shall
27 commence upon their appointment pending confirmation by the
28 senate at the then session of the general assembly or at its
29 next session if it is not then in session. The term of district
30 judicial nominating commissioners so appointed shall commence
31 upon their appointment.
32 2. ~~Except where the term has less than ninety days~~
33 ~~remaining, vacancies in the office of elective member of the~~
34 ~~state judicial nominating commission shall be filled consistent~~
35 ~~with eligibility requirements by a special election within the~~

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- 1 ~~congressional district where the vacancy occurs, such election~~
2 ~~to be conducted as provided in sections 46.9 and 46.10. An~~
3 ~~appointive commissioner shall be deemed to have submitted a~~
4 ~~resignation if the commissioner fails to attend a meeting of~~
5 ~~the commission that is properly noticed under section 46.13~~
6 ~~and at which the commission conducts interviews or selects~~

7 nominees for judicial office. The governor, in the governor's
8 discretion, may accept or reject the resignation. If the
9 governor accepts the resignation, the governor shall notify the
10 commissioner and the chairperson of the commission in writing
11 and shall then make another appointment.

12 3. Vacancies in the office of elective judicial nominating
13 commissioner ~~of district judicial nominating commissions~~ shall
14 be filled consistent with eligibility requirements ~~and by~~
15 majority vote of the authorized number of elective members of
16 the particular commission, at a meeting of such members called
17 in the manner provided in section 46.13. The term of judicial
18 nominating commissioners so chosen shall commence upon their
19 selection by a special election within the judicial election
20 district or congressional district where the vacancy occurs
21 unless the term has less than ninety days remaining, in which
22 case the office shall remain vacant. The special election
23 shall be completed within ninety days of the vacancy arising
24 and shall be conducted as provided in sections 46.9, 46.9A, and
25 46.10.

26 4. If a vacancy occurs in the office of chairperson of ~~a the~~
27 state judicial nominating commission, ~~or in the members of the~~
28 commission shall elect a new chairperson as provided in section
29 46.6. If a vacancy occurs in the office of chairperson of a
30 district judicial nominating commission or in the absence of
31 the chairperson, the members of the particular commission shall
32 elect a temporary chairperson from their own number.

33 5. ~~When a vacancy in an office of an elective judicial~~
34 ~~nominating commissioner occurs, the state court administrator~~
35 ~~shall cause to be mailed to each member of the bar whose name~~

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1 ~~appears on the certified list prepared pursuant to section 46.8~~
2 ~~for the district or districts affected, a notice stating the~~
3 ~~existence of the vacancy, the requirements for eligibility,~~
4 ~~and the manner in which the vacancy will be filled. Other~~
5 ~~items may be included in the same mailing if they are on sheets~~
6 ~~separate from the notice. The election of a district judicial~~
7 ~~nominating commissioner or the close of nominations for a state~~
8 ~~judicial nominating commissioner shall not occur until thirty~~
9 ~~days after the mailing of the notice. Notwithstanding section~~
10 69.1A, appointed and elected commissioners on the state and
11 district judicial nominating commissions shall not hold over
12 until their successor is elected and qualified.

13 6. All judicial nominating commissioners, including
14 those elected by the bar, shall be subject to removal by
15 the executive council in the same manner as appointive state
16 officers under section 66.26. When the status of a judicial
17 nominating commissioner is in question, the governor shall be
18 the officer responsible for deciding whether a vacancy exists
19 under section 69.2.

20 Sec. ____ Section 46.6, Code 2019, is amended to read as

21 follows:

22 **46.6 ~~Equal seniority~~ Chairperson.**

23 ~~If the judges of longest service, other than the chief~~
24 ~~justice, of the supreme court or of the district court in~~
25 ~~a district are of equal service, the eldest of such judges~~
26 ~~shall be chairperson of the particular judicial nominating~~
27 ~~commission.~~

28 1. The commissioners of the state judicial nominating
29 commission shall elect a chairperson from their own number.
30 The chairperson shall serve a two-year term that expires
31 on April 30 of even-numbered years. A commissioner may be
32 reelected for a second or third term as chairperson. If a
33 chairperson of a judicial nominating commission desires to
34 be relieved of the duties of chairperson while retaining the
35 status of commissioner, the chairperson shall notify the

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1 governor and the other commissioners of the commission. At the
2 next meeting of the commission, the commissioners shall elect a
3 new chairperson for the remainder of the two-year term.

4 2. The judge of longest service in the district shall serve
5 as the chair of a particular district judicial nominating
6 commission. If the judges of longest service in the district
7 are of equal service, the eldest of such judges shall be
8 chairperson of the particular judicial nominating commission.

9 Sec. ____ Section 46.7, Code 2019, is amended to read as
10 follows:

11 **46.7 Eligibility to vote.**

12 To be eligible to vote in elections of judicial nominating
13 commissioners, a member of the bar must be eligible to
14 practice and must be a resident of the state of Iowa and of
15 the appropriate congressional district or judicial election
16 district ~~as shown by the member's most recent filing with the~~
17 ~~supreme court for the purposes of showing compliance with~~
18 ~~the court's continuing legal education requirements, or for~~
19 ~~members of the bar eligible to practice who are not required~~
20 ~~to file such compliance, any paper on file by July 1 with the~~
21 ~~state court administrator, for the purpose of establishing~~
22 ~~eligibility to vote under this section, which the court~~
23 ~~determines to show the requisite residency requirements at the~~
24 time the member votes in the election. The member's residency
25 shall be determined by the home address shown on the member's
26 most recent electronic or paper submission to the commission
27 on continuing education and the client security commission or
28 on the member's bar admission records. A judge who has been
29 admitted to the bar of the state of Iowa shall be considered a
30 member of the bar.

31 Sec. ____ Section 46.8, Code 2019, is amended to read as
32 follows:

33 **46.8 Certified list.**

34 ~~1. Each year the~~ The state court administrator shall ~~certify~~
35 ~~a maintain a certified~~ list of the names, addresses, electronic

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1 mail addresses, and years of admission of members of the bar
2 who are eligible to vote for state and district judicial
3 nominating commissioners.

4 2. Upon request, the state court administrator shall
5 provide the certified list in electronic form and without
6 charge to any properly qualified nominee for state or district
7 judicial nominating commissioner.

8 Sec. ____ Section 46.9, Code 2019, is amended to read as
9 follows:

10 **46.9 Conduct of elections.**

11 1. When an election of judicial nominating commissioners
12 is to be held, the state court administrator shall administer
13 the voting. The state court administrator may administer
14 the voting by electronic notification and voting or by paper
15 ballot mailed to each eligible attorney. The state court
16 administrator shall mail paper ballots to eligible attorneys or
17 electronically notify and enable eligible attorneys to vote.
18 ~~The elector receiving the most votes shall be elected. When~~
19 ~~more than one commissioner is to be elected, the electors~~
20 ~~receiving the most votes shall be elected, in the same number~~
21 ~~as the offices to be filled.~~

22 2. The state court administrator shall provide a voting
23 period of at least twenty-one days from when the electronic
24 voting notification is sent or the paper ballots are mailed
25 during which eligible attorneys may vote electronically or
26 submit a paper ballot.

27 3. In an election to elect a single commissioner, each
28 eligible attorney may cast a single vote, and the qualified
29 eligible elector receiving the most votes shall be elected.

30 4. In an election to elect one male commissioner and one
31 female commissioner, each eligible attorney may cast one vote
32 for male commissioner and one vote for female commissioner, and
33 the qualified eligible elector of each gender receiving the
34 most votes shall each be elected.

35 5. The election results, including the number of votes cast

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1 for each elector and the total number of the members of the
2 bar eligible to vote in each election, shall be made publicly
3 available on the judicial branch internet site and shall be
4 reported to the governor and to the general assembly within ten
5 days after the conclusion of the election.

6 Sec. ____ Section 46.9A, Code 2019, is amended to read as
7 follows:

8 **46.9A Notice preceding nomination of elective nominating**

9 **commissioners.**

10 At least sixty days prior to the expiration of the term of an
11 elective state or district judicial nominating commissioner or
12 the expiration of the period within which a special election
13 must be held, the state court administrator shall ~~mail paper~~
14 ~~ballots to eligible attorneys or electronically notify and~~
15 ~~enable eligible attorneys to vote. An eligible attorney is~~
16 ~~a member of the bar whose name appears on the certified list~~
17 ~~prepared pursuant to section 46.8 for the district or districts~~
18 ~~affected~~ provide notice of the current or upcoming vacancy
19 and the nomination and election process by making the notice
20 publicly available on the judicial branch internet site,
21 issuing a press release, and electronically notifying members
22 of the bar. The election shall not commence until at least
23 thirty days after the issuance of the notice required by this
24 section.

25 Sec. ____ Section 46.10, Code 2019, is amended to read as
26 follows:

27 **46.10 Nomination of elective judicial nominating**
28 **commissioners.**

29 1. In order to have an eligible elector's name printed
30 on the ballot for state or district judicial nominating
31 commissioner, the eligible elector must file in the office of
32 the state court administrator at least thirty days prior to
33 expiration of the period within which the election must be
34 held a nominating petition signed by at least ~~fifty resident~~
35 ~~members of the bar~~ ten eligible electors of the congressional

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1 district in case of a candidate for state judicial nominating
2 commissioner, or at least ten ~~resident members of the bar~~
3 eligible electors of the judicial district in case of a
4 candidate for district judicial nominating commissioner. ~~No~~
5 ~~member of the bar may sign more nominating petitions for state~~
6 ~~or district judicial nominating commissioner than there are~~
7 ~~such commissioners to be elected.~~

8 2. Ballots or electronic voting forms for state and district
9 judicial nominating commissioners shall contain blank lines
10 equal to the number of such commissioners to be elected, where
11 names may be written in. Any electronic voting form must
12 permit a voter to write in the name of any eligible elector.

13 Sec. ____ Section 46.11, Code 2019, is amended to read as
14 follows:

15 **46.11 Certification of commissioners.**

16 ~~The~~ Upon making an appointment, the governor and the state
17 ~~court administrator respectively~~ shall promptly certify
18 the names and addresses of ~~appointive and elective~~ judicial
19 nominating commissioners to the state commissioner of
20 elections ~~and the chairperson of the respective nominating~~
21 ~~commissions.~~ Upon the completion of an election, the state
22 court administrator shall certify the names and addresses of

23 the elected judicial nominating commissioners to the state
24 commissioner of elections and the governor.
25 Sec. ____ Section 46.12, subsection 1, Code 2019, is amended
26 to read as follows:
27 1. When a vacancy occurs or will occur within one hundred
28 twenty days in the supreme court, the court of appeals, or
29 district court, the state commissioner of elections shall
30 forthwith so notify the ~~chairperson of the proper judicial~~
31 ~~nominating commission~~ governor. The ~~chairperson~~ governor shall
32 call a meeting of the proper judicial nominating commission
33 within ten days after such notice; if the ~~chairperson~~ governor
34 fails to do so, the chief justice shall call such meeting.
35 Sec. ____ Section 46.13, Code 2019, is amended to read as

Page 10

1 follows:
2 **46.13 Notice of meetings and application process.**
3 1. The governor or chairperson of each judicial nominating
4 commission shall give the members of the commission at least
5 five days' written notice by mail or electronic mail of the
6 time and place of every meeting, except as to members who
7 execute written waivers of notice at or before the meeting or
8 unless the commission at its next previous meeting designated
9 the time and place of the meeting.
10 2. Each commission, with the technical support of the
11 judicial branch, shall publish all of the following on the
12 judicial branch internet site:
13 a. Notice that the commission is accepting applications
14 for judge or justice along with a copy of the application form
15 at least two weeks before applications are required to be
16 submitted to the commission.
17 b. Copies of nonconfidential application materials submitted
18 by applicants.
19 c. The schedule of applicant interviews before the
20 commission.
21 d. The list of nominees submitted by the commission to the
22 governor and the chief justice.
23 3. Commissioners shall be permitted to conduct individual
24 interviews with applicants in advance of the commission's
25 meetings to choose the nominees.
26 4. The state judicial nominating commission shall adopt
27 uniform rules for the state and district judicial nominating
28 commissions that shall be consistent with this chapter
29 and shall provide for a uniform and fair process for the
30 commissions to consider applicants and select nominees. The
31 state judicial nominating commission shall provide for a public
32 comment period of at least thirty days on its proposed uniform
33 rules prior to adopting the rules and shall adopt the rules
34 within six months of the effective date of this division of
35 this Act. Such rules shall be made publicly available on the

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1 judicial branch internet site.
2 Sec. ____ NEW SECTION. **46.15A Severability and judicial**
3 **review.**

4 1. If any provision or clause of this chapter or any
5 application of this chapter to any person or circumstances
6 is held invalid, such invalidity shall not affect other
7 provisions, clauses, or applications of this chapter which can
8 be given effect without the invalid provision or application,
9 and to this end the provisions and clauses of this chapter are
10 declared to be severable.

11 2. Notwithstanding any provision of law to the contrary,
12 if any provision of this chapter is preliminarily enjoined,
13 no judicial nominating commission shall meet to nominate
14 persons to serve as a judge or justice while the preliminary
15 injunction is in effect or while any appeal of the preliminary
16 injunction or a related permanent injunction is pending unless
17 the injunction is subsequently stayed or otherwise lifted.

18 Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this
19 Act, being deemed of immediate importance, takes effect upon
20 enactment.

21 DIVISION ____

22 CHIEF JUSTICE SELECTION

23 Sec. ____ Section 602.4103, Code 2019, is amended to read
24 as follows:

25 **602.4103 Chief justice.**

26 ~~The justices of the supreme court shall select one justice as~~
27 ~~chief justice, to serve during that justice's term of office.~~

28 1. At the first meeting in each odd-numbered year, the
29 justices of the supreme court by majority vote shall designate
30 one justice as chief justice, to serve for a two-year term.
31 A vacancy in the office of chief justice shall be filled for
32 the remainder of the unexpired term by majority vote of the
33 justices of the supreme court, after any vacancy on the court
34 has been filled.

35 2. If the chief justice desires to be relieved of the duties

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1 of chief justice while retaining the status of justice of the
2 supreme court, the chief justice shall notify the governor and
3 the other justices of the supreme court. The office of chief
4 justice shall be deemed vacant, and shall be filled as provided
5 in this section.

6 3. The chief justice is eligible for reselection.

7 4. The chief justice shall appoint one of the other justices
8 to act during the absence or inability of the chief justice
9 to act, and when so acting the appointee has all the rights,
10 duties, and powers of the chief justice.

11 Sec. ____ NEW SECTION. **602.4103A Transition provisions.**

12 1. The term of the chief justice serving on the effective

13 date of this division of this Act shall expire on January
14 15, 2021, or upon the conclusion of the first meeting of the
15 justices of the supreme court in January 2021, whichever occurs
16 earlier.
17 2. If the office of chief justice becomes vacant prior to
18 the expiration of the term in January 2021, the office shall be
19 filled for the remainder of the unexpired term as provided for
20 in section 602.4103.
21 3. This section is repealed July 1, 2021.>
22 3. By renumbering as necessary.

S-3263

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 766

1 Amend the Senate amendment, H-1322, to House File 766, as
2 amended, passed, and reprinted by the House, as follows:
3 1. By striking page 1, line 1, through page 113, line 5, and
4 inserting:
5 <Amend House File 766, as amended, passed, and reprinted by
6 the House, as follows:
7 1. By striking everything after the enacting clause and
8 inserting:

<DIVISION I

10 DEPARTMENT ON AGING — FY 2019–2020

11 Section 1. DEPARTMENT ON AGING. There is appropriated from
12 the general fund of the state to the department on aging for
13 the fiscal year beginning July 1, 2019, and ending June 30,
14 2020, the following amount, or so much thereof as is necessary,
15 to be used for the purposes designated:

16 For aging programs for the department on aging and area
17 agencies on aging to provide citizens of Iowa who are 60 years
18 of age and older with case management for frail elders, Iowa's
19 aging and disabilities resource center, and other services
20 which may include but are not limited to adult day services,
21 respite care, chore services, information and assistance,
22 and material aid, for information and options counseling for
23 persons with disabilities who are 18 years of age or older,
24 and for salaries, support, administration, maintenance, and
25 miscellaneous purposes, and for not more than the following
26 full-time equivalent positions:

| | | |
|----------|------|------------|
| 27 | \$ | 11,191,441 |
| 28 | FTEs | 27.00 |

29 1. Funds appropriated in this section may be used to
30 supplement federal funds under federal regulations. To
31 receive funds appropriated in this section, a local area
32 agency on aging shall match the funds with moneys from other
33 sources according to rules adopted by the department. Funds
34 appropriated in this section may be used for elderly services
35 not specifically enumerated in this section only if approved

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1 by an area agency on aging for provision of the service within
2 the area.

3 2. Of the funds appropriated in this section, \$279,000 is
4 transferred to the economic development authority for the Iowa
5 commission on volunteer services to be used for the retired and
6 senior volunteer program.

7 3.a. The department on aging shall establish and enforce
8 procedures relating to expenditure of state and federal funds
9 by area agencies on aging that require compliance with both
10 state and federal laws, rules, and regulations, including but
11 not limited to all of the following:

12 (1) Requiring that expenditures are incurred only for goods
13 or services received or performed prior to the end of the
14 fiscal period designated for use of the funds.

15 (2) Prohibiting prepayment for goods or services not
16 received or performed prior to the end of the fiscal period
17 designated for use of the funds.

18 (3) Prohibiting prepayment for goods or services not
19 defined specifically by good or service, time period, or
20 recipient.

21 (4) Prohibiting the establishment of accounts from which
22 future goods or services which are not defined specifically by
23 good or service, time period, or recipient, may be purchased.

24 b. The procedures shall provide that if any funds are
25 expended in a manner that is not in compliance with the
26 procedures and applicable federal and state laws, rules, and
27 regulations, and are subsequently subject to repayment, the
28 area agency on aging expending such funds in contravention of
29 such procedures, laws, rules and regulations, not the state,
30 shall be liable for such repayment.

31 4. Of the funds appropriated in this section, at least
32 \$600,000 shall be used to fund home and community-based
33 services through the area agencies on aging that enable older
34 individuals to avoid more costly utilization of residential or
35 institutional services and remain in their own homes.

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1 5. Of the funds appropriated in this section, \$812,000 shall
2 be used for the purposes of chapter 231E and to administer
3 the prevention of elder abuse, neglect, and exploitation
4 program pursuant to section 231.56A, in accordance with the
5 requirements of the federal Older Americans Act of 1965, 42
6 U.S.C. §3001 et seq., as amended.

7 6. Of the funds appropriated in this section, \$1,000,000
8 shall be used to fund continuation of the aging and disability
9 resource center lifelong links to provide individuals and
10 caregivers with information and services to plan for and
11 maintain independence.

12 7. Of the funds appropriated in this section, \$250,000

13 shall be used by the department on aging, in collaboration with
14 the department of human services and affected stakeholders, to
15 expand the pilot initiative to provide long-term care options
16 counseling utilizing support planning protocols, to assist
17 non-Medicaid eligible consumers who indicate a preference
18 to return to the community and are deemed appropriate for
19 discharge, to return to their community following a nursing
20 facility stay. The department on aging shall submit a report
21 regarding the outcomes of the pilot initiative to the governor
22 and the general assembly by December 15, 2019.

23 DIVISION II

24 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2019–2020

25 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
26 appropriated from the general fund of the state to the office
27 of long-term care ombudsman for the fiscal year beginning July
28 1, 2019, and ending June 30, 2020, the following amount, or
29 so much thereof as is necessary, to be used for the purposes
30 designated:

31 For salaries, support, administration, maintenance, and
32 miscellaneous purposes, and for not more than the following
33 full-time equivalent positions:

| | | |
|----------|------|-----------|
| 34 | \$ | 1,149,821 |
| 35 | FTEs | 16.00 |

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1 DIVISION III

2 DEPARTMENT OF PUBLIC HEALTH — FY 2019–2020

3 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
4 from the general fund of the state to the department of public
5 health for the fiscal year beginning July 1, 2019, and ending
6 June 30, 2020, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 1. ADDICTIVE DISORDERS

9 For reducing the prevalence of the use of tobacco, alcohol,
10 and other drugs, and treating individuals affected by addictive
11 behaviors, including gambling, and for not more than the
12 following full-time equivalent positions:

| | | |
|----------|------|------------|
| 13 | \$ | 25,110,000 |
| 14 | FTEs | 12.00 |

15 a. (1) Of the funds appropriated in this subsection,
16 \$4,021,000 shall be used for the tobacco use prevention
17 and control initiative, including efforts at the state and
18 local levels, as provided in chapter 142A. The commission
19 on tobacco use prevention and control established pursuant
20 to section 142A.3 shall advise the director of public health
21 in prioritizing funding needs and the allocation of moneys
22 appropriated for the programs and initiatives. Activities
23 of the programs and initiatives shall be in alignment with
24 the United States centers for disease control and prevention
25 best practices for comprehensive tobacco control programs that
26 include the goals of preventing youth initiation of tobacco

27 usage, reducing exposure to secondhand smoke, and promotion
28 of tobacco cessation. To maximize resources, the department
29 shall determine if third-party sources are available to
30 instead provide nicotine replacement products to an applicant
31 prior to provision of such products to an applicant under
32 the initiative. The department shall track and report to
33 the individuals specified in this Act, any reduction in
34 the provision of nicotine replacement products realized by
35 the initiative through implementation of the prerequisite

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1 screening.

2 (2) (a) The department shall collaborate with the
3 alcoholic beverages division of the department of commerce for
4 enforcement of tobacco laws, regulations, and ordinances and to
5 engage in tobacco control activities approved by the division
6 of tobacco use prevention and control of the department of
7 public health as specified in the memorandum of understanding
8 entered into between the divisions.

9 (b) For the fiscal year beginning July 1, 2019, and ending
10 June 30, 2020, the terms of the memorandum of understanding,
11 entered into between the division of tobacco use prevention
12 and control of the department of public health and the
13 alcoholic beverages division of the department of commerce,
14 governing compliance checks conducted to ensure licensed retail
15 tobacco outlet conformity with tobacco laws, regulations, and
16 ordinances relating to persons under 18 years of age, shall
17 continue to restrict the number of such checks to one check per
18 retail outlet, and one additional check for any retail outlet
19 found to be in violation during the first check.

20 b. (1) Of the funds appropriated in this subsection,
21 \$21,089,000 shall be used for problem gambling and
22 substance-related disorder prevention, treatment, and recovery
23 services, including a 24-hour helpline, public information
24 resources, professional training, youth prevention, and program
25 evaluation.

26 (2) Of the amount allocated under this paragraph, \$306,000
27 shall be utilized by the department of public health, in
28 collaboration with the department of human services, to support
29 establishment and maintenance of a single statewide 24-hour
30 crisis hotline for the Iowa children's behavioral health system
31 that incorporates warmline services which may be provided
32 through expansion of existing capabilities maintained by the
33 department of public health as required pursuant to 2018 Iowa
34 Acts, chapter 1056, section 16.

35 c. The requirement of section 123.17, subsection 5, is met

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1 by the appropriations and allocations made in this division of
2 this Act for purposes of substance-related disorder treatment
3 and addictive disorders for the fiscal year beginning July 1,
4 2019.

5 2. HEALTHY CHILDREN AND FAMILIES

6 For promoting the optimum health status for children and
7 adolescents from birth through 21 years of age, and families,
8 and for not more than the following full-time equivalent
9 positions:

| | | |
|----------|------|-----------|
| 10 | \$ | 5,817,057 |
| 11 | FTEs | 14.00 |

12 a. Of the funds appropriated in this subsection, not more
13 than \$734,000 shall be used for the healthy opportunities for
14 parents to experience success (HOPES)-healthy families Iowa
15 (HFI) program established pursuant to section 135.106. The
16 funding shall be distributed to renew the grants that were
17 provided to the grantees that operated the program during the
18 fiscal year ending June 30, 2018. However, the department
19 shall issue a request for proposals and distribute grants to
20 the grantees selected to operate the program no later than
21 January 1, 2020. The department shall not retain any portion
22 of the allocation under this paragraph for administrative
23 costs.

24 b. In order to implement the legislative intent stated
25 in sections 135.106 and 256I.9, priority for home visitation
26 program funding shall be given to programs using evidence-based
27 or promising models for home visitation.

28 c. Of the funds appropriated in this subsection, \$3,075,000
29 shall be used for continuation of the department's initiative
30 to provide for adequate developmental surveillance and
31 screening during a child's first five years. The funds shall
32 be used first to fully fund the current sites to ensure that
33 the sites are fully operational, with the remaining funds
34 to be used for expansion to additional sites. The full
35 implementation and expansion shall include enhancing the scope

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1 of the initiative through collaboration with the child health
2 specialty clinics to promote healthy child development through
3 early identification and response to both biomedical and social
4 determinants of healthy development; by monitoring child
5 health metrics to inform practice, document long-term health
6 impacts and savings, and provide for continuous improvement
7 through training, education, and evaluation; and by providing
8 for practitioner consultation particularly for children with
9 behavioral conditions and needs. The department of public
10 health shall also collaborate with the Iowa Medicaid enterprise
11 and the child health specialty clinics to integrate the
12 activities of the first five initiative into the establishment

13 of patient-centered medical homes, community utilities,
 14 accountable care organizations, and other integrated care
 15 models developed to improve health quality and population
 16 health while reducing health care costs. To the maximum extent
 17 possible, funding allocated in this paragraph shall be utilized
 18 as matching funds for medical assistance program reimbursement.

19 d. Of the funds appropriated in this subsection, \$64,000
 20 shall be distributed to a statewide dental carrier to provide
 21 funds to continue the donated dental services program patterned
 22 after the projects developed by the dental lifeline network to
 23 provide dental services to indigent individuals who are elderly
 24 or with disabilities.

25 e. Of the funds appropriated in this subsection, \$156,000
 26 shall be used to provide audiological services and hearing aids
 27 for children.

28 f. Of the funds appropriated in this subsection, \$23,000 is
 29 transferred to the university of Iowa college of dentistry for
 30 provision of primary dental services to children. State funds
 31 shall be matched on a dollar-for-dollar basis. The university
 32 of Iowa college of dentistry shall coordinate efforts with the
 33 department of public health, oral and health delivery system
 34 bureau, to provide dental care to underserved populations
 35 throughout the state.

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1 g. Of the funds appropriated in this subsection, \$50,000
 2 shall be used to address youth suicide prevention.

3 h. Of the funds appropriated in this subsection, \$40,000
 4 shall be used to support the Iowa effort to address the survey
 5 of children who experience adverse childhood experiences known
 6 as ACEs.

7 i. Of the funds appropriated in this subsection, up to
 8 \$494,000 shall be used for childhood obesity prevention.

9 3. CHRONIC CONDITIONS

10 For serving individuals identified as having chronic
 11 conditions or special health care needs, and for not more than
 12 the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 13 | \$ | 4,223,519 |
| 14 | FTEs | 9.00 |

15 a. Of the funds appropriated in this subsection, \$153,000
 16 shall be used for grants to individual patients who have an
 17 inherited metabolic disorder to assist with the costs of
 18 medically necessary foods and formula.

19 b. Of the funds appropriated in this subsection, \$1,055,000
 20 shall be used for the brain injury services program pursuant
 21 to section 135.22B, including \$861,000 for contracting with an
 22 existing nationally affiliated and statewide organization whose
 23 purpose is to educate, serve, and support Iowans with brain
 24 injury and their families, for resource facilitator services
 25 in accordance with section 135.22B, subsection 9, and for
 26 contracting to enhance brain injury training and recruitment

27 of service providers on a statewide basis. Of the amount
28 allocated in this paragraph, \$95,000 shall be used to fund
29 1.00 full-time equivalent position to serve as the state brain
30 injury services program manager.

31 c. Of the funds appropriated in this subsection, \$144,000
32 shall be used for the public purpose of continuing to contract
33 with an existing nationally affiliated organization to provide
34 education, client-centered programs, and client and family
35 support for people living with epilepsy and their families.

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1 The amount allocated in this paragraph in excess of \$50,000
2 shall be matched dollar-for-dollar by the organization
3 specified. Funds allocated under this paragraph shall be
4 distributed in their entirety for the purpose specified on July
5 1, 2019.

6 d. Of the funds appropriated in this subsection, \$809,000
7 shall be used for child health specialty clinics.

8 e. Of the funds appropriated in this subsection, \$384,000
9 shall be used by the regional autism assistance program
10 established pursuant to section 256.35, and administered by
11 the child health specialty clinic located at the university of
12 Iowa hospitals and clinics. The funds shall be used to enhance
13 interagency collaboration and coordination of educational,
14 medical, and other human services for persons with autism,
15 their families, and providers of services, including delivering
16 regionalized services of care coordination, family navigation,
17 and integration of services through the statewide system of
18 regional child health specialty clinics and fulfilling other
19 requirements as specified in chapter 225D. The university of
20 Iowa shall not receive funds allocated under this paragraph for
21 indirect costs associated with the regional autism assistance
22 program.

23 f. Of the funds appropriated in this subsection, \$577,000
24 shall be used for the comprehensive cancer control program to
25 reduce the burden of cancer in Iowa through prevention, early
26 detection, effective treatment, and ensuring quality of life.
27 Of the funds allocated in this paragraph "f", \$150,000 shall
28 be used to support a melanoma research symposium, a melanoma
29 biorepository and registry, basic and translational melanoma
30 research, and clinical trials.

31 g. Of the funds appropriated in this subsection, \$97,000
32 shall be used for cervical and colon cancer screening, and
33 \$177,000 shall be used to enhance the capacity of the cervical
34 cancer screening program to include provision of recommended
35 prevention and early detection measures to a broader range of

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1 low-income women.

2 h. Of the funds appropriated in this subsection, \$506,000
3 shall be used for the center for congenital and inherited
4 disorders.

5 4. COMMUNITY CAPACITY

6 For strengthening the health care delivery system at the
7 local level, and for not more than the following full-time
8 equivalent positions:

| | | |
|----------|------|-----------|
| 9 | \$ | 5,594,677 |
| 10 | FTEs | 13.00 |

11 a. Of the funds appropriated in this subsection, \$95,000
12 is allocated for continuation of the child vision screening
13 program implemented through the university of Iowa hospitals
14 and clinics in collaboration with early childhood Iowa areas.
15 The program shall submit a report to the department regarding
16 the use of funds allocated under this paragraph "a". The
17 report shall include the objectives and results for the
18 program year including the target population and how the funds
19 allocated assisted the program in meeting the objectives; the
20 number, age, and location within the state of individuals
21 served; the type of services provided to the individuals
22 served; the distribution of funds based on service provided;
23 and the continuing needs of the program.

24 b. Of the funds appropriated in this subsection,
25 \$48,000 shall be used for a grant to a statewide association
26 of psychologists, that is affiliated with the American
27 psychological association, to be used for continuation of a
28 program to rotate intern psychologists in placements in urban
29 and rural mental health professional shortage areas. For the
30 purposes of this paragraph "b", "mental health professional
31 shortage area" means a geographic area in this state that has
32 been designated by the United States department of health and
33 human services, health resources and services administration,
34 bureau of health professionals, as having a shortage of mental
35 health professionals.

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1 c. Of the funds appropriated in this subsection, the
2 following amounts are allocated to be used as follows
3 to support the goals of increased access, health system
4 integration, and engagement:

5 (1) Not less than \$600,000 is allocated to the Iowa
6 prescription drug corporation for continuation of the
7 pharmaceutical infrastructure for safety net providers as
8 described in 2007 Iowa Acts, chapter 218, section 108, and for
9 the prescription drug donation repository program created in
10 chapter 135M. Funds allocated under this subparagraph shall
11 be distributed in their entirety for the purpose specified on
12 July 1, 2019.

13 (2) Not less than \$334,000 is allocated to free clinics and
14 free clinics of Iowa for necessary infrastructure, statewide
15 coordination, provider recruitment, service delivery, and
16 provision of assistance to patients in securing a medical home
17 inclusive of oral health care. Funds allocated under this
18 subparagraph shall be distributed in their entirety for the
19 purpose specified on July 1, 2019.

20 (3) Not less than \$25,000 is allocated to the Iowa
21 association of rural health clinics for necessary
22 infrastructure and service delivery transformation. Funds
23 allocated under this subparagraph shall be distributed in their
24 entirety for the purpose specified on July 1, 2019.

25 (4) Not less than \$225,000 is allocated to the Polk county
26 medical society for continuation of the safety net provider
27 patient access to specialty health care initiative as described
28 in 2007 Iowa Acts, chapter 218, section 109. Funds allocated
29 under this subparagraph shall be distributed in their entirety
30 for the purpose specified on July 1, 2019.

31 d. Of the funds appropriated in this subsection, \$191,000
32 is allocated for the purposes of health care and public health
33 workforce initiatives.

34 e. Of the funds appropriated in this subsection, \$96,000
35 shall be used for a matching dental education loan repayment

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1 program to be allocated to a dental nonprofit health service
2 corporation to continue to develop the criteria and implement
3 the loan repayment program.

4 f. Of the funds appropriated in this subsection, \$100,000
5 shall be used for the purposes of the Iowa donor registry as
6 specified in section 142C.18.

7 g. Of the funds appropriated in this subsection, \$96,000
8 shall be used for continuation of a grant to a nationally
9 affiliated volunteer eye organization that has an established
10 program for children and adults and that is solely dedicated to
11 preserving sight and preventing blindness through education,
12 nationally certified vision screening and training, and
13 community and patient service programs. The contractor shall
14 submit a report to the individuals identified in this Act for
15 submission of reports regarding the use of funds allocated
16 under this paragraph "g". The report shall include the
17 objectives and results for the program year including the
18 target population and how the funds allocated assisted the
19 program in meeting the objectives; the number, age, grade level
20 if appropriate, and location within the state of individuals
21 served; the type of services provided to the individuals
22 served; the distribution of funds based on services provided;
23 and the continuing needs of the program.

24 h. Of the funds appropriated in this subsection, \$2,000,000
25 shall be deposited in the medical residency training account
26 created in section 135.175, subsection 5, paragraph "a", and

27 is appropriated from the account to the department of public
 28 health to be used for the purposes of the medical residency
 29 training state matching grants program as specified in section
 30 135.176.

31 i. Of the funds appropriated in this subsection, \$250,000
 32 shall be used for the public purpose of providing funding to
 33 Des Moines university to continue a provider education project
 34 to provide primary care physicians with the training and skills
 35 necessary to recognize the signs of mental illness in patients.

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1 j. Of the funds appropriated in this subsection, \$400,000
 2 shall be used for rural psychiatric residencies to support the
 3 annual creation and training of four psychiatric residents who
 4 will provide mental health services in underserved areas of the
 5 state.

6 k. Of the funds appropriated in this subsection, \$150,000
 7 shall be used for psychiatric training to increase access to
 8 mental health care services by expanding the mental health
 9 workforce via training of additional physician assistants and
 10 nurse practitioners.

11 5. ESSENTIAL PUBLIC HEALTH SERVICES

12 To provide public health services that reduce risks and
 13 invest in promoting and protecting good health over the
 14 course of a lifetime with a priority given to older Iowans and
 15 vulnerable populations:

| | | |
|----------|----|-----------|
| 16 | \$ | 7,662,464 |
|----------|----|-----------|

17 6. INFECTIOUS DISEASES

18 For reducing the incidence and prevalence of communicable
 19 diseases, and for not more than the following full-time
 20 equivalent positions:

| | | |
|----------|------|-----------|
| 21 | \$ | 1,796,426 |
| 22 | FTEs | 4.00 |

23 7. PUBLIC PROTECTION

24 For protecting the health and safety of the public through
 25 establishing standards and enforcing regulations, and for not
 26 more than the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 27 | \$ | 4,093,383 |
| 28 | FTEs | 142.00 |

29 a. Of the funds appropriated in this subsection, not more
 30 than \$304,000 shall be credited to the emergency medical
 31 services fund created in section 135.25. Moneys in the
 32 emergency medical services fund are appropriated to the
 33 department to be used for the purposes of the fund.

34 b. Of the funds appropriated in this subsection, up
 35 to \$243,000 shall be used for sexual violence prevention

1 programming through a statewide organization representing
2 programs serving victims of sexual violence through the
3 department's sexual violence prevention program, and for
4 continuation of a training program for sexual assault
5 response team (SART) members, including representatives of
6 law enforcement, victim advocates, prosecutors, and certified
7 medical personnel. However, the department shall issue
8 a request for proposals and execute a contract with the
9 contractor selected to provide the programming and training
10 as specified in this paragraph no later than January 1, 2020.
11 The amount allocated in this paragraph "b" shall not be used
12 to supplant funding administered for other sexual violence
13 prevention or victims assistance programs. The department
14 shall not retain any portion of the allocation under this
15 paragraph for administrative costs.

16 c. Of the funds appropriated in this subsection, up to
17 \$500,000 shall be used for the state poison control center.
18 Pursuant to the directive under 2014 Iowa Acts, chapter
19 1140, section 102, the federal matching funds available to
20 the state poison control center from the department of human
21 services under the federal Children's Health Insurance Program
22 Reauthorization Act allotment shall be subject to the federal
23 administrative cap rule of 10 percent applicable to funding
24 provided under Tit. XXI of the federal Social Security Act and
25 included within the department's calculations of the cap.

26 d. Of the funds appropriated in this subsection, up to
27 \$504,000 shall be used for childhood lead poisoning provisions.

28 8. RESOURCE MANAGEMENT

29 For establishing and sustaining the overall ability of the
30 department to deliver services to the public, and for not more
31 than the following full-time equivalent positions:

| | | |
|----------|------|---------|
| 32 | \$ | 971,215 |
| 33 | FTEs | 4.00 |

34 9. MISCELLANEOUS PROVISIONS

35 a. The university of Iowa hospitals and clinics under

1 the control of the state board of regents shall not receive
2 indirect costs from the funds appropriated in this section.
3 The university of Iowa hospitals and clinics billings to the
4 department shall be on at least a quarterly basis.
5 b. The department of public health shall collaborate
6 with applicable stakeholders to review the allocations,
7 grants, and other distributions of funds appropriated under
8 this division of this Act and shall submit a report to the
9 individuals identified in this Act for submission of reports by
10 December 15, 2019, regarding a proposal for the distribution
11 of funds that more clearly reflects the department's stated
12 priorities and goals, provides increased flexibility in the

13 distribution of funds to meet these priorities and goals, and
 14 ensures stakeholder accountability and a discernable return on
 15 investment.

16 Sec. 4. CONTRACTED SERVICES — PROHIBITED USE OF GENERAL
 17 FUND MONEYS FOR LOBBYING.

18 1. The department shall submit a report to the individuals
 19 identified in this Act for submission of reports by January 1,
 20 2020, regarding the outcomes of any program or activity for
 21 which funding is appropriated or allocated from the general
 22 fund of the state to the department under this division of
 23 this Act, and for which a request for proposals process is
 24 specifically required.

25 2. The department shall incorporate into the general
 26 conditions applicable to all award documents involving funding
 27 appropriated or allocated from the general fund of the state to
 28 the department under this division of this Act, a prohibition
 29 against the use of such funding for the compensation of a
 30 lobbyist. For the purposes of this section, “lobbyist” means
 31 the same as defined in section 68B.2; however, “lobbyist”
 32 does not include a person employed by a state agency of the
 33 executive branch of state government who represents the agency
 34 relative to the passage, defeat, approval, or modification of
 35 legislation that is being considered by the general assembly.

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1 DIVISION IV
 2 DEPARTMENT OF VETERANS AFFAIRS — FY 2019–2020

3 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
 4 appropriated from the general fund of the state to the
 5 department of veterans affairs for the fiscal year beginning
 6 July 1, 2019, and ending June 30, 2020, the following amounts,
 7 or so much thereof as is necessary, to be used for the purposes
 8 designated:

9 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

10 For salaries, support, maintenance, and miscellaneous
 11 purposes, and for not more than the following full-time
 12 equivalent positions:

| | | |
|----------|------|-----------|
| 13 | \$ | 1,225,500 |
| 14 | FTEs | 15.00 |

15 2. IOWA VETERANS HOME

16 For salaries, support, maintenance, and miscellaneous
 17 purposes:

| | | |
|----------|----|-----------|
| 18 | \$ | 7,162,976 |
|----------|----|-----------|

19 a. The Iowa veterans home billings involving the department
 20 of human services shall be submitted to the department on at
 21 least a monthly basis.

22 b. Within available resources and in conformance with
 23 associated state and federal program eligibility requirements,
 24 the Iowa veterans home may implement measures to provide
 25 financial assistance to or on behalf of veterans or their
 26 spouses who are participating in the community reentry program.

- 27 c. The Iowa veterans home expenditure report shall be
- 28 submitted monthly to the legislative services agency.
- 29 d. The Iowa veterans home shall continue to include in the
- 30 annual discharge report applicant information to provide for
- 31 the collection of demographic information including but not
- 32 limited to the number of individuals applying for admission and
- 33 admitted or denied admittance and the basis for the admission
- 34 or denial; the age, gender, and race of such individuals;
- 35 and the level of care for which such individuals applied for

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- 1 admission including residential or nursing level of care.
- 2 3. HOME OWNERSHIP ASSISTANCE PROGRAM
- 3 For transfer to the Iowa finance authority for the
- 4 continuation of the home ownership assistance program for
- 5 persons who are or were eligible members of the armed forces of
- 6 the United States, pursuant to section 16.54:
- 7 \$ 2,000,000
- 8 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
- 9 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
- 10 appropriation in section 35A.16 for the fiscal year beginning
- 11 July 1, 2019, and ending June 30, 2020, the amount appropriated
- 12 from the general fund of the state pursuant to that section
- 13 for the following designated purposes shall not exceed the
- 14 following amount:
- 15 For the county commissions of veteran affairs fund under
- 16 section 35A.16:
- 17 \$ 990,000
- 18 DIVISION V
- 19 DEPARTMENT OF HUMAN SERVICES — FY 2019–2020
- 20 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
- 21 GRANT. There is appropriated from the fund created in section
- 22 8.41 to the department of human services for the fiscal year
- 23 beginning July 1, 2019, and ending June 30, 2020, from moneys
- 24 received under the federal temporary assistance for needy
- 25 families (TANF) block grant pursuant to the federal Personal
- 26 Responsibility and Work Opportunity Reconciliation Act of 1996,
- 27 Pub. L. No. 104-193, and successor legislation, the following
- 28 amounts, or so much thereof as is necessary, to be used for the
- 29 purposes designated:
- 30 1. To be credited to the family investment program account
- 31 and used for assistance under the family investment program
- 32 under chapter 239B:
- 33 \$ 4,524,006
- 34 2. To be credited to the family investment program account
- 35 and used for the job opportunities and basic skills (JOBS)

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| | | |
|----|---|---------------|
| 1 | program and implementing family investment agreements in | |
| 2 | accordance with chapter 239B: | |
| 3 | ..... | \$ 5,412,060 |
| 4 | 3. To be used for the family development and | |
| 5 | self-sufficiency grant program in accordance with section | |
| 6 | 216A.107: | |
| 7 | ..... | \$ 2,898,980 |
| 8 | Notwithstanding section 8.33, moneys appropriated in this | |
| 9 | subsection that remain unencumbered or unobligated at the close | |
| 10 | of the fiscal year shall not revert but shall remain available | |
| 11 | for expenditure for the purposes designated until the close of | |
| 12 | the succeeding fiscal year. However, unless such moneys are | |
| 13 | encumbered or obligated on or before September 30, 2020, the | |
| 14 | moneys shall revert. | |
| 15 | 4. For field operations: | |
| 16 | ..... | \$ 31,296,232 |
| 17 | 5. For general administration: | |
| 18 | ..... | \$ 3,744,000 |
| 19 | 6. For state child care assistance: | |
| 20 | ..... | \$ 47,166,826 |
| 21 | a. Of the funds appropriated in this subsection, | |
| 22 | \$26,205,412 is transferred to the child care and development | |
| 23 | block grant appropriation made by the Eighty-eighth General | |
| 24 | Assembly, 2019 session, for the federal fiscal year beginning | |
| 25 | October 1, 2019, and ending September 30, 2020. Of this | |
| 26 | amount, \$200,000 shall be used for provision of educational | |
| 27 | opportunities to registered child care home providers in order | |
| 28 | to improve services and programs offered by this category | |
| 29 | of providers and to increase the number of providers. The | |
| 30 | department may contract with institutions of higher education | |
| 31 | or child care resource and referral centers to provide | |
| 32 | the educational opportunities. Allowable administrative | |
| 33 | costs under the contracts shall not exceed 5 percent. The | |
| 34 | application for a grant shall not exceed two pages in length. | |
| 35 | b. Any funds appropriated in this subsection remaining | |

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| | | |
|----|---|---------------|
| 1 | unallocated shall be used for state child care assistance | |
| 2 | payments for families who are employed including but not | |
| 3 | limited to individuals enrolled in the family investment | |
| 4 | program. | |
| 5 | 7. For child and family services: | |
| 6 | ..... | \$ 32,380,654 |
| 7 | 8. For child abuse prevention grants: | |
| 8 | ..... | \$ 125,000 |
| 9 | 9. For pregnancy prevention grants on the condition that | |
| 10 | family planning services are funded: | |
| 11 | ..... | \$ 1,913,203 |
| 12 | Pregnancy prevention grants shall be awarded to programs | |

13 in existence on or before July 1, 2019, if the programs have
14 demonstrated positive outcomes. Grants shall be awarded to
15 pregnancy prevention programs which are developed after July
16 1, 2019, if the programs are based on existing models that
17 have demonstrated positive outcomes. Grants shall comply with
18 the requirements provided in 1997 Iowa Acts, chapter 208,
19 section 14, subsections 1 and 2, including the requirement that
20 grant programs must emphasize sexual abstinence. Priority in
21 the awarding of grants shall be given to programs that serve
22 areas of the state which demonstrate the highest percentage of
23 unplanned pregnancies of females of childbearing age within the
24 geographic area to be served by the grant.

25 10. For technology needs and other resources necessary
26 to meet federal welfare reform reporting, tracking, and case
27 management requirements:

28 \$ 1,037,186

29 11.a. Notwithstanding any provision to the contrary,
30 including but not limited to requirements in section 8.41 or
31 provisions in 2018 Iowa Acts or 2019 Iowa Acts regarding the
32 receipt and appropriation of federal block grants, federal
33 funds from the temporary assistance for needy families block
34 grant received by the state and not otherwise appropriated
35 in this section and remaining available for the fiscal year

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1 beginning July 1, 2019, are appropriated to the department of
2 human services to the extent as may be necessary to be used in
3 the following priority order: the family investment program,
4 for state child care assistance program payments for families
5 who are employed, and for the family investment program share
6 of system costs for eligibility determination and related
7 functions. The federal funds appropriated in this paragraph
8 “a” shall be expended only after all other funds appropriated
9 in subsection 1 for assistance under the family investment
10 program, in subsection 6 for state child care assistance, or
11 in subsection 10 for technology costs related to the family
12 investment program, as applicable, have been expended. For
13 the purposes of this subsection, the funds appropriated in
14 subsection 6, paragraph “a”, for transfer to the child care
15 and development block grant appropriation are considered fully
16 expended when the full amount has been transferred.

17 b. The department shall, on a quarterly basis, advise the
18 legislative services agency and department of management of
19 the amount of funds appropriated in this subsection that was
20 expended in the prior quarter.

21 12. Of the amounts appropriated in this section,
22 \$12,962,008 for the fiscal year beginning July 1, 2019, is
23 transferred to the appropriation of the federal social services
24 block grant made to the department of human services for that
25 fiscal year.

26 13. For continuation of the program providing categorical

27 eligibility for the food assistance program as specified
28 for the program in the section of this division of this Act
29 relating to the family investment program account:
30 \$ 14,236
31 14. The department may transfer funds allocated in this
32 section to the appropriations made in this division of this Act
33 for the same fiscal year for general administration and field
34 operations for resources necessary to implement and operate the
35 services referred to in this section and those funded in the

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1 appropriation made in this division of this Act for the same
2 fiscal year for the family investment program from the general
3 fund of the state.
4 15. With the exception of moneys allocated under this
5 section for the family development and self-sufficiency grant
6 program, to the extent moneys allocated in this section are
7 deemed by the department not to be necessary to support the
8 purposes for which they are allocated, such moneys may be
9 used in the same fiscal year for any other purpose for which
10 funds are allocated in this section or in section 8 of this
11 division for the family investment program account. If there
12 are conflicting needs, priority shall first be given to the
13 family investment program account as specified under subsection
14 1 of this section and used for the purposes of assistance under
15 the family investment program in accordance with chapter 239B,
16 followed by state child care assistance program payments for
17 families who are employed, followed by other priorities as
18 specified by the department.
19 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
20 1. Moneys credited to the family investment program (FIP)
21 account for the fiscal year beginning July 1, 2019, and
22 ending June 30, 2020, shall be used to provide assistance in
23 accordance with chapter 239B.
24 2. The department may use a portion of the moneys credited
25 to the FIP account under this section as necessary for
26 salaries, support, maintenance, and miscellaneous purposes.
27 3. The department may transfer funds allocated in
28 subsection 4, excluding the allocation under subsection 4,
29 paragraph "b", to the appropriations made in this division of
30 this Act for the same fiscal year for general administration
31 and field operations for resources necessary to implement
32 and operate the services referred to in this section and
33 those funded in the appropriations made in section 7 for the
34 temporary assistance for needy families block grant and in
35 section 9 for the family investment program from the general

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1 fund of the state in this division of this Act for the same
2 fiscal year.

3 4. Moneys appropriated in this division of this Act and
4 credited to the FIP account for the fiscal year beginning July
5 1, 2019, and ending June 30, 2020, are allocated as follows:

6 a. To be retained by the department of human services to
7 be used for coordinating with the department of human rights
8 to more effectively serve participants in FIP and other shared
9 clients and to meet federal reporting requirements under the
10 federal temporary assistance for needy families block grant:

11 \$ 20,000

12 b. To the department of human rights for staffing,
13 administration, and implementation of the family development
14 and self-sufficiency grant program in accordance with section
15 216A.107:

16 \$ 6,192,834

17 (1) Of the funds allocated for the family development
18 and self-sufficiency grant program in this paragraph “b”,
19 not more than 5 percent of the funds shall be used for the
20 administration of the grant program.

21 (2) The department of human rights may continue to implement
22 the family development and self-sufficiency grant program
23 statewide during fiscal year 2019-2020.

24 (3) The department of human rights may engage in activities
25 to strengthen and improve family outcomes measures and
26 data collection systems under the family development and
27 self-sufficiency grant program.

28 c. For the diversion subaccount of the FIP account:

29 \$ 815,000

30 A portion of the moneys allocated for the diversion
31 subaccount may be used for field operations, salaries, data
32 management system development, and implementation costs and
33 support deemed necessary by the director of human services
34 in order to administer the FIP diversion program. To the
35 extent moneys allocated in this paragraph “c” are deemed by the

Page 23

1 department not be necessary to support diversion activities,
2 such moneys may be used for other efforts intended to increase
3 engagement by family investment program participants in work,
4 education, or training activities, or for the purposes of
5 assistance under the family investment program in accordance
6 with chapter 239B.

7 d. For the food assistance employment and training program:

8 \$ 66,588

9 (1) The department shall apply the federal supplemental
10 nutrition assistance program (SNAP) employment and training
11 state plan in order to maximize to the fullest extent permitted
12 by federal law the use of the 50 percent federal reimbursement

13 provisions for the claiming of allowable federal reimbursement
 14 funds from the United States department of agriculture
 15 pursuant to the federal SNAP employment and training program
 16 for providing education, employment, and training services
 17 for eligible food assistance program participants, including
 18 but not limited to related dependent care and transportation
 19 expenses.

20 (2) The department shall continue the categorical federal
 21 food assistance program eligibility at 160 percent of the
 22 federal poverty level and continue to eliminate the asset test
 23 from eligibility requirements, consistent with federal food
 24 assistance program requirements. The department shall include
 25 as many food assistance households as is allowed by federal
 26 law. The eligibility provisions shall conform to all federal
 27 requirements including requirements addressing individuals who
 28 are incarcerated or otherwise ineligible.

29 e. For the JOBS program:

30 \$ 12,018,258

31 5. Of the child support collections assigned under FIP,
 32 an amount equal to the federal share of support collections
 33 shall be credited to the child support recovery appropriation
 34 made in this division of this Act. Of the remainder of the
 35 assigned child support collections received by the child

Page 24

1 support recovery unit, a portion shall be credited to the FIP
 2 account, a portion may be used to increase recoveries, and a
 3 portion may be used to sustain cash flow in the child support
 4 payments account. If as a consequence of the appropriations
 5 and allocations made in this section the resulting amounts
 6 are insufficient to sustain cash assistance payments and meet
 7 federal maintenance of effort requirements, the department
 8 shall seek supplemental funding. If child support collections
 9 assigned under FIP are greater than estimated or are otherwise
 10 determined not to be required for maintenance of effort, the
 11 state share of either amount may be transferred to or retained
 12 in the child support payments account.

13 6. The department may adopt emergency rules for the family
 14 investment, JOBS, food assistance, and medical assistance
 15 programs if necessary to comply with federal requirements.

16 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
 17 is appropriated from the general fund of the state to the
 18 department of human services for the fiscal year beginning July
 19 1, 2019, and ending June 30, 2020, the following amount, or
 20 so much thereof as is necessary, to be used for the purpose
 21 designated:

22 To be credited to the family investment program (FIP)
 23 account and used for family investment program assistance under
 24 chapter 239B:

25 \$ 40,365,037

26 1. Of the funds appropriated in this section, \$6,606,198 is

27 allocated for the JOBS program.

28 2. Of the funds appropriated in this section, \$3,313,854 is
29 allocated for the family development and self-sufficiency grant
30 program.

31 3. a. Notwithstanding section 8.39, for the fiscal
32 year beginning July 1, 2019, if necessary to meet federal
33 maintenance of effort requirements or to transfer federal
34 temporary assistance for needy families block grant funding
35 to be used for purposes of the federal social services block

Page 25

1 grant or to meet cash flow needs resulting from delays in
2 receiving federal funding or to implement, in accordance with
3 this division of this Act, activities currently funded with
4 juvenile court services, county, or community moneys and state
5 moneys used in combination with such moneys; to comply with
6 federal requirements; or to maximize the use of federal funds;
7 the department of human services may transfer funds within or
8 between any of the appropriations made in this division of this
9 Act and appropriations in law for the federal social services
10 block grant to the department for the following purposes,
11 provided that the combined amount of state and federal
12 temporary assistance for needy families block grant funding
13 for each appropriation remains the same before and after the
14 transfer:

15 (1) For the family investment program.

16 (2) For state child care assistance.

17 (3) For child and family services.

18 (4) For field operations.

19 (5) For general administration.

20 b. This subsection shall not be construed to prohibit the
21 use of existing state transfer authority for other purposes.

22 The department shall report any transfers made pursuant to this
23 subsection to the legislative services agency.

24 4. Of the funds appropriated in this section, \$195,000 shall
25 be used for continuation of a grant to an Iowa-based nonprofit
26 organization with a history of providing tax preparation
27 assistance to low-income Iowans in order to expand the usage
28 of the earned income tax credit. The purpose of the grant is
29 to supply this assistance to underserved areas of the state.
30 However, the department shall issue a request for proposals and
31 execute a contract with the contractor selected to administer
32 the program no later than January 1, 2020. The department
33 shall not retain any portion of the allocation under this
34 subsection for administrative costs.

35 5. Of the funds appropriated in this section, \$70,000 shall

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1 be used for the continuation of the parenting program, as
 2 specified in 441 IAC ch. 100, relating to parental obligations,
 3 in which the child support recovery unit participates, to
 4 support the efforts of a nonprofit organization committed
 5 to strengthening the community through youth development,
 6 healthy living, and social responsibility headquartered in
 7 a county with a population over 350,000 according to the
 8 latest certified federal census. The funds allocated in this
 9 subsection shall be used by the recipient organization to
 10 develop a larger community effort, through public and private
 11 partnerships, to support a broad-based multi-county parenthood
 12 initiative that promotes payment of child support obligations,
 13 improved family relationships, and full-time employment.

14 6. The department may transfer funds appropriated in this
 15 section, excluding the allocation in subsection 2 for the
 16 family development and self-sufficiency grant program, to the
 17 appropriations made in this division of this Act for general
 18 administration and field operations as necessary to administer
 19 this section, section 7 for the temporary assistance for needy
 20 families block grant, and section 8 for the family investment
 21 program account.

22 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
 23 from the general fund of the state to the department of human
 24 services for the fiscal year beginning July 1, 2019, and ending
 25 June 30, 2020, the following amount, or so much thereof as is
 26 necessary, to be used for the purposes designated:

27 For child support recovery, including salaries, support,
 28 maintenance, and miscellaneous purposes, and for not more than
 29 the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 30 | \$ | 14,749,368 |
| 31 | FTEs | 459.00 |

32 1. The department shall expend up to \$24,000, including
 33 federal financial participation, for the fiscal year beginning
 34 July 1, 2019, for a child support public awareness campaign.
 35 The department and the office of the attorney general shall

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1 cooperate in continuation of the campaign. The public
 2 awareness campaign shall emphasize, through a variety of
 3 media activities, the importance of maximum involvement of
 4 both parents in the lives of their children as well as the
 5 importance of payment of child support obligations.

6 2. Federal access and visitation grant moneys shall be
 7 issued directly to private not-for-profit agencies that provide
 8 services designed to increase compliance with the child access
 9 provisions of court orders, including but not limited to
 10 neutral visitation sites and mediation services.

11 3. The appropriation made to the department for child
 12 support recovery may be used throughout the fiscal year in the

13 manner necessary for purposes of cash flow management, and for
14 cash flow management purposes the department may temporarily
15 draw more than the amount appropriated, provided the amount
16 appropriated is not exceeded at the close of the fiscal year.

17 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
18 FY 2019–2020. Any funds remaining in the health care trust
19 fund created in section 453A.35A for the fiscal year beginning
20 July 1, 2019, and ending June 30, 2020, are appropriated to
21 the department of human services to supplement the medical
22 assistance program appropriations made in this division of this
23 Act, for medical assistance reimbursement and associated costs,
24 including program administration and costs associated with
25 program implementation.

26 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
27 2019–2020. Any funds remaining in the Medicaid fraud fund
28 created in section 249A.50 for the fiscal year beginning
29 July 1, 2019, and ending June 30, 2020, are appropriated to
30 the department of human services to supplement the medical
31 assistance appropriations made in this division of this Act,
32 for medical assistance reimbursement and associated costs,
33 including program administration and costs associated with
34 program implementation.

35 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the

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1 general fund of the state to the department of human services
2 for the fiscal year beginning July 1, 2019, and ending June 30,
3 2020, the following amount, or so much thereof as is necessary,
4 to be used for the purpose designated:

5 For medical assistance program reimbursement and associated
6 costs as specifically provided in the reimbursement
7 methodologies in effect on June 30, 2019, except as otherwise
8 expressly authorized by law, consistent with options under
9 federal law and regulations, and contingent upon receipt of
10 approval from the office of the governor of reimbursement for
11 each abortion performed under the program:

12 \$ 1,427,379,707

13 1. Iowans support reducing the number of abortions
14 performed in our state. Funds appropriated under this section
15 shall not be used for abortions, unless otherwise authorized
16 under this section.

17 2. The provisions of this section relating to abortions
18 shall also apply to the Iowa health and wellness plan created
19 pursuant to chapter 249N.

20 3. The department shall utilize not more than \$60,000 of
21 the funds appropriated in this section to continue the AIDS/HIV
22 health insurance premium payment program as established in 1992
23 Iowa Acts, Second Extraordinary Session, chapter 1001, section
24 409, subsection 6. Of the funds allocated in this subsection,
25 not more than \$5,000 may be expended for administrative
26 purposes.

27 4. Of the funds appropriated in this Act to the department
28 of public health for addictive disorders, \$950,000 for
29 the fiscal year beginning July 1, 2019, is transferred
30 to the department of human services for an integrated
31 substance-related disorder managed care system. The
32 departments of human services and public health shall
33 work together to maintain the level of mental health and
34 substance-related disorder treatment services provided by the
35 managed care contractors. Each department shall take the steps

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1 necessary to continue the federal waivers as necessary to
2 maintain the level of services.
3 5.a. The department shall aggressively pursue options for
4 providing medical assistance or other assistance to individuals
5 with special needs who become ineligible to continue receiving
6 services under the early and periodic screening, diagnostic,
7 and treatment program under the medical assistance program
8 due to becoming 21 years of age who have been approved for
9 additional assistance through the department's exception to
10 policy provisions, but who have health care needs in excess
11 of the funding available through the exception to policy
12 provisions.

13 b. Of the funds appropriated in this section, \$100,000
14 shall be used for participation in one or more pilot projects
15 operated by a private provider to allow the individual or
16 individuals to receive service in the community in accordance
17 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
18 (1999), for the purpose of providing medical assistance or
19 other assistance to individuals with special needs who become
20 ineligible to continue receiving services under the early and
21 periodic screening, diagnostic, and treatment program under
22 the medical assistance program due to becoming 21 years of
23 age who have been approved for additional assistance through
24 the department's exception to policy provisions, but who have
25 health care needs in excess of the funding available through
26 the exception to the policy provisions.

27 6. Of the funds appropriated in this section, up to
28 \$3,050,082 may be transferred to the field operations or
29 general administration appropriations in this division of this
30 Act for operational costs associated with Part D of the federal
31 Medicare Prescription Drug Improvement and Modernization Act
32 of 2003, Pub. L. No. 108-173.

33 7. Of the funds appropriated in this section, up to \$442,100
34 may be transferred to the appropriation in this division
35 of this Act for medical contracts to be used for clinical

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1 assessment services and prior authorization of services.
2 8. A portion of the funds appropriated in this section
3 may be transferred to the appropriations in this division of
4 this Act for general administration, medical contracts, the
5 children's health insurance program, or field operations to be
6 used for the state match cost to comply with the payment error
7 rate measurement (PERM) program for both the medical assistance
8 and children's health insurance programs as developed by the
9 centers for Medicare and Medicaid services of the United States
10 department of health and human services to comply with the
11 federal Improper Payments Information Act of 2002, Pub. L.
12 No. 107-300, and to support other reviews and quality control
13 activities to improve the integrity of these programs.

14 9. The department shall continue to implement the
15 recommendations of the assuring better child health and
16 development initiative II (ABCDII) clinical panel to the
17 Iowa early and periodic screening, diagnostic, and treatment
18 services healthy mental development collaborative board
19 regarding changes to billing procedures, codes, and eligible
20 service providers.

21 10. Of the funds appropriated in this section, a sufficient
22 amount is allocated to supplement the incomes of residents of
23 nursing facilities, intermediate care facilities for persons
24 with mental illness, and intermediate care facilities for
25 persons with an intellectual disability, with incomes of less
26 than \$50 in the amount necessary for the residents to receive a
27 personal needs allowance of \$50 per month pursuant to section
28 249A.30A.

29 11.a. Hospitals that meet the conditions specified
30 in subparagraphs (1) and (2) shall either certify public
31 expenditures or transfer to the medical assistance program
32 an amount equal to provide the nonfederal share for a
33 disproportionate share hospital payment in an amount up to the
34 hospital-specific limit as approved in the Medicaid state plan.
35 The hospitals that meet the conditions specified shall receive

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1 and retain 100 percent of the total disproportionate share
2 hospital payment in an amount up to the hospital-specific limit
3 as approved in the Medicaid state plan.

4 (1) The hospital qualifies for disproportionate share and
5 graduate medical education payments.

6 (2) The hospital is an Iowa state-owned hospital with more
7 than 500 beds and eight or more distinct residency specialty
8 or subspecialty programs recognized by the American college of
9 graduate medical education.

10 b. Distribution of the disproportionate share payments
11 shall be made on a monthly basis. The total amount of
12 disproportionate share payments including graduate medical

13 education, enhanced disproportionate share, and Iowa
14 state-owned teaching hospital payments shall not exceed the
15 amount of the state's allotment under Pub. L. No. 102-234.
16 In addition, the total amount of all disproportionate
17 share payments shall not exceed the hospital-specific
18 disproportionate share limits under Pub. L. No. 103-66.
19 12. One hundred percent of the nonfederal share of payments
20 to area education agencies that are medical assistance
21 providers for medical assistance-covered services provided to
22 medical assistance-covered children, shall be made from the
23 appropriation made in this section.
24 13. A portion of the funds appropriated in this section
25 may be transferred to the appropriation in this division of
26 this Act for medical contracts to be used for administrative
27 activities associated with the money follows the person
28 demonstration project.
29 14. Of the funds appropriated in this section, \$349,011
30 shall be used for the administration of the health insurance
31 premium payment program, including salaries, support,
32 maintenance, and miscellaneous purposes.
33 15.a. The department may increase the amounts allocated
34 for salaries, support, maintenance, and miscellaneous purposes
35 associated with the medical assistance program, as necessary,

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1 to sustain cost management efforts. The department shall
2 report any such increase to the legislative services agency and
3 the department of management.
4 b. If the savings to the medical assistance program from
5 ongoing cost management efforts exceed the associated cost
6 for the fiscal year beginning July 1, 2019, the department
7 may transfer any savings generated for the fiscal year due
8 to medical assistance program cost management efforts to the
9 appropriation made in this division of this Act for medical
10 contracts or general administration to defray the costs
11 associated with implementing the efforts.
12 16. For the fiscal year beginning July 1, 2019, and ending
13 June 30, 2020, the replacement generation tax revenues required
14 to be deposited in the property tax relief fund pursuant to
15 section 437A.8, subsection 4, paragraph "d", and section
16 437A.15, subsection 3, paragraph "f", shall instead be credited
17 to and supplement the appropriation made in this section and
18 used for the allocations made in this section.
19 17.a. Of the funds appropriated in this section, up
20 to \$50,000 may be transferred by the department to the
21 appropriation made in this division of this Act to the
22 department for the same fiscal year for general administration
23 to be used for associated administrative expenses and for not
24 more than 1.00 full-time equivalent position, in addition to
25 those authorized for the same fiscal year, to be assigned to
26 implementing the children's mental health home project.

- 27 b. Of the funds appropriated in this section, up to \$400,000
28 may be transferred by the department to the appropriation made
29 to the department in this division of this Act for the same
30 fiscal year for Medicaid program-related general administration
31 planning and implementation activities. The funds may be used
32 for contracts or for personnel in addition to the amounts
33 appropriated for and the positions authorized for general
34 administration for the fiscal year.
- 35 c. Of the funds appropriated in this section, up to

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- 1 \$3,000,000 may be transferred by the department to the
2 appropriations made in this division of this Act for the same
3 fiscal year for general administration or medical contracts
4 to be used to support the development and implementation of
5 standardized assessment tools for persons with mental illness,
6 an intellectual disability, a developmental disability, or a
7 brain injury.
- 8 18. Of the funds appropriated in this section, \$150,000
9 shall be used for lodging expenses associated with care
10 provided at the university of Iowa hospitals and clinics for
11 patients with cancer whose travel distance is 30 miles or more
12 and whose income is at or below 200 percent of the federal
13 poverty level as defined by the most recently revised poverty
14 income guidelines published by the United States department of
15 health and human services. The department of human services
16 shall establish the maximum number of overnight stays and the
17 maximum rate reimbursed for overnight lodging, which may be
18 based on the state employee rate established by the department
19 of administrative services. The funds allocated in this
20 subsection shall not be used as nonfederal share matching
21 funds.
- 22 19. Of the funds appropriated in this section, up to
23 \$3,383,880 shall be used for administration of the state family
24 planning services program pursuant to section 217.41B, and
25 of this amount, the department may use up to \$200,000 for
26 administrative expenses.
- 27 20. Of the funds appropriated in this section, \$1,545,530
28 shall be used and may be transferred to other appropriations
29 in this division of this Act as necessary to administer the
30 provisions in the division of this Act relating to Medicaid
31 program administration.
- 32 21. The department shall continue to implement and
33 administer the provisions of 2018 Iowa Acts, chapter 1056.
34 Of the funds appropriated in this section, up to \$39,069 may
35 be transferred to the department of inspections and appeals

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1 for inspection costs related to such implementation and
2 administration.

3 22. Of the funds appropriated in this section, up to
4 \$1,200,000 shall be used to implement reductions in the waiting
5 list for the children's mental health home and community-based
6 services waiver.

7 23. Of the funds appropriated in this section, \$1,500,000
8 shall be used to provide reimbursement to critical access
9 hospitals for inpatient and outpatient services based on
10 a critical access hospital adjustment factor methodology
11 developed by the department as provided in this division of
12 this Act.

13 24. The department of human services shall utilize
14 \$1,000,000 of the funds appropriated under this section to
15 increase the current supported community living provider
16 daily rates for all tiers under the tiered rate reimbursement
17 methodology effective with dates of service beginning July
18 1, 2019. The funding amount shall be divided equally among
19 all tiers and applied within each tier in accordance with the
20 recommendations of the actuary. However, no resulting rates
21 shall be lower than the rates in effect on June 30, 2019.

22 Sec. 14. MEDICAL CONTRACTS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2019, and ending June 30,
25 2020, the following amount, or so much thereof as is necessary,
26 to be used for the purpose designated:

27 For medical contracts:

28 \$ 17,992,530

29 1. The department of inspections and appeals shall
30 provide all state matching funds for survey and certification
31 activities performed by the department of inspections
32 and appeals. The department of human services is solely
33 responsible for distributing the federal matching funds for
34 such activities.

35 2. Of the funds appropriated in this section, \$50,000 shall

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1 be used for continuation of home and community-based services
2 waiver quality assurance programs, including the review and
3 streamlining of processes and policies related to oversight and
4 quality management to meet state and federal requirements.

5 3. Of the amount appropriated in this section, up to
6 \$200,000 may be transferred to the appropriation for general
7 administration in this division of this Act to be used for
8 additional full-time equivalent positions in the development
9 of key health initiatives such as development and oversight
10 of managed care programs and development of health strategies
11 targeted toward improved quality and reduced costs in the
12 Medicaid program.

13 4. Of the funds appropriated in this section, \$1,000,000
14 shall be used for planning and development, in cooperation with
15 the department of public health, of a phased-in program to
16 provide a dental home for children.

17 5. a. Of the funds appropriated in this section, \$573,000
18 shall be credited to the autism support program fund created
19 in section 225D.2 to be used for the autism support program
20 created in chapter 225D, with the exception of the following
21 amount of this allocation which shall be used as follows:

22 b. Of the funds allocated in this subsection, \$25,000 shall
23 be used for the public purpose of continuation of a grant to a
24 nonprofit provider of child welfare services that has been in
25 existence for more than 115 years, is located in a county with
26 a population between 200,000 and 220,000 according to the most
27 recent federal decennial census, is licensed as a psychiatric
28 medical institution for children, and provides school-based
29 programming, to be used for support services for children with
30 autism spectrum disorder and their families.

31 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

32 1. There is appropriated from the general fund of the
33 state to the department of human services for the fiscal year
34 beginning July 1, 2019, and ending June 30, 2020, the following
35 amount, or so much thereof as is necessary, to be used for the

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1 purpose designated:

| | |
|---|--------------|
| 2 For the state supplementary assistance program: | |
| 3 | \$ 7,812,909 |

4 2. The department shall increase the personal needs
5 allowance for residents of residential care facilities by the
6 same percentage and at the same time as federal supplemental
7 security income and federal social security benefits are
8 increased due to a recognized increase in the cost of living.
9 The department may adopt emergency rules to implement this
10 subsection.

11 3. If during the fiscal year beginning July 1, 2019,
12 the department projects that state supplementary assistance
13 expenditures for a calendar year will not meet the federal
14 pass-through requirement specified in Tit. XVI of the federal
15 Social Security Act, section 1618, as codified in 42 U.S.C.
16 §1382g, the department may take actions including but not
17 limited to increasing the personal needs allowance for
18 residential care facility residents and making programmatic
19 adjustments or upward adjustments of the residential care
20 facility or in-home health-related care reimbursement rates
21 prescribed in this division of this Act to ensure that federal
22 requirements are met. In addition, the department may make
23 other programmatic and rate adjustments necessary to remain
24 within the amount appropriated in this section while ensuring
25 compliance with federal requirements. The department may adopt
26 emergency rules to implement the provisions of this subsection.

27 4. Notwithstanding section 8.33, moneys appropriated in
 28 this section that remain unencumbered or unobligated at the
 29 close of the fiscal year shall not revert but shall remain
 30 available for expenditure for the purposes designated until the
 31 close of the succeeding fiscal year.
 32 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.
 33 1. There is appropriated from the general fund of the
 34 state to the department of human services for the fiscal year
 35 beginning July 1, 2019, and ending June 30, 2020, the following

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1 amount, or so much thereof as is necessary, to be used for the
 2 purpose designated:
 3 For maintenance of the healthy and well kids in Iowa (hawk-i)
 4 program pursuant to chapter 514I, including supplemental dental
 5 services, for receipt of federal financial participation under
 6 Tit. XXI of the federal Social Security Act, which creates the
 7 children's health insurance program:
 8 \$ 19,361,112
 9 2. Of the funds appropriated in this section, \$79,486 is
 10 allocated for continuation of the contract for outreach with
 11 the department of public health.
 12 3. A portion of the funds appropriated in this section may
 13 be transferred to the appropriations made in this division of
 14 this Act for field operations or medical contracts to be used
 15 for the integration of hawk-i program eligibility, payment, and
 16 administrative functions under the purview of the department
 17 of human services, including for the Medicaid management
 18 information system upgrade.
 19 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
 20 from the general fund of the state to the department of human
 21 services for the fiscal year beginning July 1, 2019, and ending
 22 June 30, 2020, the following amount, or so much thereof as is
 23 necessary, to be used for the purpose designated:
 24 For child care programs:
 25 \$ 40,816,931
 26 1. Of the funds appropriated in this section, \$34,966,931
 27 shall be used for state child care assistance in accordance
 28 with section 237A.13.
 29 2. Nothing in this section shall be construed or is
 30 intended as or shall imply a grant of entitlement for services
 31 to persons who are eligible for assistance due to an income
 32 level consistent with the waiting list requirements of section
 33 237A.13. Any state obligation to provide services pursuant to
 34 this section is limited to the extent of the funds appropriated
 35 in this section.

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1 3. A list of the registered and licensed child care
2 facilities operating in the area served by a child care
3 resource and referral service shall be made available to the
4 families receiving state child care assistance in that area.
5 4. Of the funds appropriated in this section, \$5,850,000
6 shall be credited to the early childhood programs grants
7 account in the early childhood Iowa fund created in section
8 256I.11. The moneys shall be distributed for funding of
9 community-based early childhood programs targeted to children
10 from birth through five years of age developed by early
11 childhood Iowa areas in accordance with approved community
12 plans as provided in section 256I.8.
13 5. The department may use any of the funds appropriated
14 in this section as a match to obtain federal funds for use in
15 expanding child care assistance and related programs. For
16 the purpose of expenditures of state and federal child care
17 funding, funds shall be considered obligated at the time
18 expenditures are projected or are allocated to the department's
19 service areas. Projections shall be based on current and
20 projected caseload growth, current and projected provider
21 rates, staffing requirements for eligibility determination
22 and management of program requirements including data systems
23 management, staffing requirements for administration of the
24 program, contractual and grant obligations and any transfers
25 to other state agencies, and obligations for decategorization
26 or innovation projects.
27 6. A portion of the state match for the federal child care
28 and development block grant shall be provided as necessary to
29 meet federal matching funds requirements through the state
30 general fund appropriation made for child development grants
31 and other programs for at-risk children in section 279.51.
32 7. If a uniform reduction ordered by the governor under
33 section 8.31 or other operation of law, transfer, or federal
34 funding reduction reduces the appropriation made in this
35 section for the fiscal year, the percentage reduction in the

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1 amount paid out to or on behalf of the families participating
2 in the state child care assistance program shall be equal to or
3 less than the percentage reduction made for any other purpose
4 payable from the appropriation made in this section and the
5 federal funding relating to it. The percentage reduction to
6 the other allocations made in this section shall be the same as
7 the uniform reduction ordered by the governor or the percentage
8 change of the federal funding reduction, as applicable. If
9 there is an unanticipated increase in federal funding provided
10 for state child care services, the entire amount of the
11 increase, except as necessary to meet federal requirements
12 including quality set asides, shall be used for state child

13 care assistance payments. If the appropriations made for
14 purposes of the state child care assistance program for the
15 fiscal year are determined to be insufficient, it is the intent
16 of the general assembly to appropriate sufficient funding for
17 the fiscal year in order to avoid establishment of waiting list
18 requirements.

19 8. Notwithstanding section 8.33, moneys advanced for
20 purposes of the programs developed by early childhood Iowa
21 areas, advanced for purposes of wraparound child care, or
22 received from the federal appropriations made for the purposes
23 of this section that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert to any fund but shall
25 remain available for expenditure for the purposes designated
26 until the close of the succeeding fiscal year.

27 Sec. 18. JUVENILE INSTITUTION. There is appropriated
28 from the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2019, and ending
30 June 30, 2020, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1.a. For operation of the state training school at Eldora
33 and for salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

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| | | | |
|---|-------|------|------------|
| 1 | | \$ | 13,920,757 |
| 2 | | FTEs | 207.00 |

3 b. Of the funds appropriated in this subsection, \$91,000
4 shall be used for distribution to licensed classroom teachers
5 at this and other institutions under the control of the
6 department of human services based upon the average student
7 yearly enrollment at each institution as determined by the
8 department.

9 c. The additional full-time equivalent positions authorized
10 in paragraph "a" shall include 1.00 youth services technician,
11 1.00 clinical supervisor, and 1.00 registered nurse, or
12 comparable additional, full-time equivalent positions.

13 2. A portion of the moneys appropriated in this section
14 shall be used by the state training school at Eldora for
15 grants for adolescent pregnancy prevention activities at the
16 institution in the fiscal year beginning July 1, 2019.

17 3. Of the funds appropriated in this subsection, \$212,000
18 shall be used by the state training school at Eldora for a
19 substance use disorder treatment program at the institution for
20 the fiscal year beginning July 1, 2019.

21 4. Notwithstanding section 8.33, moneys appropriated in
22 this section that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated until the
25 close of the succeeding fiscal year.

26 Sec. 19. CHILD AND FAMILY SERVICES.

27 1. There is appropriated from the general fund of the
28 state to the department of human services for the fiscal year
29 beginning July 1, 2019, and ending June 30, 2020, the following
30 amount, or so much thereof as is necessary, to be used for the
31 purpose designated:
32 For child and family services:
33 \$ 89,071,761
34 2. The department may transfer funds appropriated in this
35 section as necessary to pay the nonfederal costs of services

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1 reimbursed under the medical assistance program, state child
2 care assistance program, or the family investment program which
3 are provided to children who would otherwise receive services
4 paid under the appropriation in this section. The department
5 may transfer funds appropriated in this section to the
6 appropriations made in this division of this Act for general
7 administration and for field operations for resources necessary
8 to implement and operate the services funded in this section.
9 3. a. Of the funds appropriated in this section, up to
10 \$34,536,000 is allocated as the statewide expenditure target
11 under section 232.143 for group foster care maintenance and
12 services. If the department projects that such expenditures
13 for the fiscal year will be less than the target amount
14 allocated in this paragraph “a”, the department may reallocate
15 the excess to provide additional funding for family foster
16 care, independent living, family safety, risk and permanency
17 services, shelter care, or the child welfare emergency services
18 addressed with the allocation for shelter care.
19 b. If at any time after September 30, 2019, annualization
20 of a service area’s current expenditures indicates a service
21 area is at risk of exceeding its group foster care expenditure
22 target under section 232.143 by more than 5 percent, the
23 department and juvenile court services shall examine all
24 group foster care placements in that service area in order to
25 identify those which might be appropriate for termination.
26 In addition, any aftercare services believed to be needed
27 for the children whose placements may be terminated shall be
28 identified. The department and juvenile court services shall
29 initiate action to set dispositional review hearings for the
30 placements identified. In such a dispositional review hearing,
31 the juvenile court shall determine whether needed aftercare
32 services are available and whether termination of the placement
33 is in the best interest of the child and the community.
34 4. In accordance with the provisions of section 232.188,
35 the department shall continue the child welfare and juvenile

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1 justice funding initiative during fiscal year 2019-2020. Of
2 the funds appropriated in this section, \$1,717,000 is allocated
3 specifically for expenditure for fiscal year 2019-2020 through
4 the decategorization services funding pools and governance
5 boards established pursuant to section 232.188.

6 5. A portion of the funds appropriated in this section
7 may be used for emergency family assistance to provide other
8 resources required for a family participating in a family
9 preservation or reunification project or successor project to
10 stay together or to be reunified.

11 6. Of the funds appropriated in this section, a sufficient
12 amount is allocated for shelter care and the child welfare
13 emergency services contracting implemented to provide for or
14 prevent the need for shelter care.

15 7. Federal funds received by the state during the fiscal
16 year beginning July 1, 2019, as the result of the expenditure
17 of state funds appropriated during a previous state fiscal
18 year for a service or activity funded under this section are
19 appropriated to the department to be used as additional funding
20 for services and purposes provided for under this section.
21 Notwithstanding section 8.33, moneys received in accordance
22 with this subsection that remain unencumbered or unobligated at
23 the close of the fiscal year shall not revert to any fund but
24 shall remain available for the purposes designated until the
25 close of the succeeding fiscal year.

26 8. a. Of the funds appropriated in this section, up to
27 \$3,290,000 is allocated for the payment of the expenses of
28 court-ordered services provided to juveniles who are under the
29 supervision of juvenile court services, which expenses are a
30 charge upon the state pursuant to section 232.141, subsection
31 4. Of the amount allocated in this paragraph "a", up to
32 \$1,556,000 shall be made available to provide school-based
33 supervision of children adjudicated under chapter 232, of which
34 not more than \$15,000 may be used for the purpose of training.
35 A portion of the cost of each school-based liaison officer

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1 shall be paid by the school district or other funding source as
2 approved by the chief juvenile court officer.

3 b. Of the funds appropriated in this section, up to \$748,000
4 is allocated for the payment of the expenses of court-ordered
5 services provided to children who are under the supervision
6 of the department, which expenses are a charge upon the state
7 pursuant to section 232.141, subsection 4.

8 c. Notwithstanding section 232.141 or any other provision
9 of law to the contrary, the amounts allocated in this
10 subsection shall be distributed to the judicial districts
11 as determined by the state court administrator and to the
12 department's service areas as determined by the administrator

13 of the department of human services' division of child and
14 family services. The state court administrator and the
15 division administrator shall make the determination of the
16 distribution amounts on or before June 15, 2019.

17 d. Notwithstanding chapter 232 or any other provision of
18 law to the contrary, a district or juvenile court shall not
19 order any service which is a charge upon the state pursuant
20 to section 232.141 if there are insufficient court-ordered
21 services funds available in the district court or departmental
22 service area distribution amounts to pay for the service. The
23 chief juvenile court officer and the departmental service area
24 manager shall encourage use of the funds allocated in this
25 subsection such that there are sufficient funds to pay for
26 all court-related services during the entire year. The chief
27 juvenile court officers and departmental service area managers
28 shall attempt to anticipate potential surpluses and shortfalls
29 in the distribution amounts and shall cooperatively request the
30 state court administrator or division administrator to transfer
31 funds between the judicial districts' or departmental service
32 areas' distribution amounts as prudent.

33 e. Notwithstanding any provision of law to the contrary,
34 a district or juvenile court shall not order a county to pay
35 for any service provided to a juvenile pursuant to an order

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1 entered under chapter 232 which is a charge upon the state
2 under section 232.141, subsection 4.

3 f. Of the funds allocated in this subsection, not more than
4 \$83,000 may be used by the judicial branch for administration
5 of the requirements under this subsection.

6 g. Of the funds allocated in this subsection, \$17,000
7 shall be used by the department of human services to support
8 the interstate commission for juveniles in accordance with
9 the interstate compact for juveniles as provided in section
10 232.173.

11 9. Of the funds appropriated in this section, \$12,253,000 is
12 allocated for juvenile delinquent graduated sanctions services.
13 Any state funds saved as a result of efforts by juvenile court
14 services to earn a federal Tit. IV-E match for juvenile court
15 services administration may be used for the juvenile delinquent
16 graduated sanctions services.

17 10. Of the funds appropriated in this section, \$1,658,000 is
18 transferred to the department of public health to be used for
19 the child protection center grant program for child protection
20 centers located in Iowa in accordance with section 135.118.
21 The grant amounts under the program shall be equalized so that
22 each center receives a uniform base amount of \$245,000, and so
23 that the remaining funds are awarded through a funding formula
24 based upon the volume of children served. To increase access
25 to child protection center services for children in rural
26 areas, the funding formula for the awarding of the remaining

27 funds shall provide for the awarding of an enhanced amount to
28 eligible grantees to develop and maintain satellite centers in
29 underserved regions of the state.

30 11. Of the funds appropriated in this section, \$4,025,000 is
31 allocated for the preparation for adult living program pursuant
32 to section 234.46.

33 12. Of the funds appropriated in this section, \$227,000
34 shall be used for the public purpose of continuing a grant to a
35 nonprofit human services organization, providing services to

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1 individuals and families in multiple locations in southwest
2 Iowa and Nebraska for support of a project providing immediate,
3 sensitive support and forensic interviews, medical exams, needs
4 assessments, and referrals for victims of child abuse and their
5 nonoffending family members.

6 13. Of the funds appropriated in this section, \$300,000
7 is allocated for the foster care youth council approach of
8 providing a support network to children placed in foster care.

9 14. Of the funds appropriated in this section, \$202,000 is
10 allocated for use pursuant to section 235A.1 for continuation
11 of the initiative to address child sexual abuse implemented
12 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
13 21.

14 15. Of the funds appropriated in this section, \$630,000 is
15 allocated for the community partnership for child protection
16 sites.

17 16. Of the funds appropriated in this section, \$371,000
18 is allocated for the department's minority youth and family
19 projects under the redesign of the child welfare system.

20 17. Of the funds appropriated in this section, \$851,000
21 is allocated for funding of the community circle of care
22 collaboration for children and youth in northeast Iowa.

23 18. Of the funds appropriated in this section, at least
24 \$147,000 shall be used for the continuation of the child
25 welfare provider training academy, a collaboration between the
26 coalition for family and children's services in Iowa and the
27 department.

28 19. Of the funds appropriated in this section, \$211,000
29 shall be used for continuation of the central Iowa system of
30 care program grant through June 30, 2020.

31 20. Of the funds appropriated in this section, \$235,000
32 shall be used for the public purpose of the continuation
33 and expansion of a system of care program grant implemented
34 in Cerro Gordo and Linn counties to utilize a comprehensive
35 and long-term approach for helping children and families by

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1 addressing the key areas in a child’s life of childhood basic
2 needs, education and work, family, and community.
3 21. Of the funds appropriated in this section, at least
4 \$25,000 shall be used to continue and to expand the foster
5 care respite pilot program in which postsecondary students in
6 social work and other human services-related programs receive
7 experience by assisting family foster care providers with
8 respite and other support.
9 22. Of the funds appropriated in this section, \$110,000
10 shall be used for the public purpose of funding community-based
11 services and other supports with a system of care approach
12 for children with a serious emotional disturbance and their
13 families through a nonprofit provider of child welfare services
14 that has been in existence for more than 115 years, is located
15 in a county with a population of more than 200,000 but less
16 than 220,000 according to the latest certified federal census,
17 is licensed as a psychiatric medical institution for children,
18 and was a system of care grantee prior to July 1, 2019.
19 23. If a separate funding source is identified that reduces
20 the need for state funds within an allocation under this
21 section, the allocated state funds may be redistributed to
22 other allocations under this section for the same fiscal year.

23 Sec. 20. ADOPTION SUBSIDY.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2019, and ending June 30, 2020, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 a. For adoption subsidy payments and services:
30 \$ 40,596,007

31 b. (1) The funds appropriated in this section shall be used
32 as authorized or allowed by federal law or regulation for any
33 of the following purposes:

- 34 (a) For adoption subsidy payments and related costs.
35 (b) For post-adoption services and for other purposes under

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1 Tit. IV-B or Tit. IV-E of the federal Social Security Act.
2 (2) The department of human services may transfer funds
3 appropriated in this subsection to the appropriation for
4 child and family services in this Act for the purposes of
5 post-adoption services as specified in this paragraph “b”.
6 c. Notwithstanding section 8.33, moneys corresponding to
7 the state savings resulting from implementation of the federal
8 Fostering Connections to Success and Increasing Adoptions Act
9 of 2008, Pub. L. No. 110-351, and successor legislation, as
10 determined in accordance with 42 U.S.C. §673(a)(8), that remain
11 unencumbered or unobligated at the close of the fiscal year,
12 shall not revert to any fund but shall remain available for the

13 purposes designated in this subsection until expended. The
14 amount of such savings and any corresponding funds remaining
15 at the close of the fiscal year shall be determined separately
16 and any changes in either amount between fiscal years shall not
17 result in an unfunded need.

18 2. The department may transfer funds appropriated in
19 this section to the appropriation made in this division of
20 this Act for general administration for costs paid from the
21 appropriation relating to adoption subsidy.

22 3. Federal funds received by the state during the
23 fiscal year beginning July 1, 2019, as the result of the
24 expenditure of state funds during a previous state fiscal
25 year for a service or activity funded under this section are
26 appropriated to the department to be used as additional funding
27 for the services and activities funded under this section.
28 Notwithstanding section 8.33, moneys received in accordance
29 with this subsection that remain unencumbered or unobligated
30 at the close of the fiscal year shall not revert to any fund
31 but shall remain available for expenditure for the purposes
32 designated until the close of the succeeding fiscal year.

33 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
34 in the juvenile detention home fund created in section 232.142
35 during the fiscal year beginning July 1, 2019, and ending June

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1 30, 2020, are appropriated to the department of human services
2 for the fiscal year beginning July 1, 2019, and ending June 30,
3 2020, for distribution of an amount equal to a percentage of
4 the costs of the establishment, improvement, operation, and
5 maintenance of county or multicounty juvenile detention homes
6 in the fiscal year beginning July 1, 2018. Moneys appropriated
7 for distribution in accordance with this section shall be
8 allocated among eligible detention homes, prorated on the basis
9 of an eligible detention home's proportion of the costs of all
10 eligible detention homes in the fiscal year beginning July
11 1, 2018. The percentage figure shall be determined by the
12 department based on the amount available for distribution for
13 the fund. Notwithstanding section 232.142, subsection 3, the
14 financial aid payable by the state under that provision for the
15 fiscal year beginning July 1, 2019, shall be limited to the
16 amount appropriated for the purposes of this section.

17 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2019, and ending June 30, 2020, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

23 For the family support subsidy program subject to the
24 enrollment restrictions in section 225C.37, subsection 3:

25 \$

949,282

26 2. At least \$819,275 of the moneys appropriated in this

27 section is transferred to the department of public health for
28 the family support center component of the comprehensive family
29 support program under chapter 225C, subchapter V.
30 3. If at any time during the fiscal year, the amount of
31 funding available for the family support subsidy program
32 is reduced from the amount initially used to establish the
33 figure for the number of family members for whom a subsidy
34 is to be provided at any one time during the fiscal year,
35 notwithstanding section 225C.38, subsection 2, the department

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1 shall revise the figure as necessary to conform to the amount
2 of funding available.
3 Sec. 23. CONNER DECREE. There is appropriated from the
4 general fund of the state to the department of human services
5 for the fiscal year beginning July 1, 2019, and ending June 30,
6 2020, the following amount, or so much thereof as is necessary,
7 to be used for the purpose designated:
8 For building community capacity through the coordination
9 and provision of training opportunities in accordance with the
10 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
11 Iowa, July 14, 1994):
12 \$ 33,632
13 Sec. 24. MENTAL HEALTH INSTITUTES.
14 1. There is appropriated from the general fund of the
15 state to the department of human services for the fiscal year
16 beginning July 1, 2019, and ending June 30, 2020, the following
17 amounts, or so much thereof as is necessary, to be used for the
18 purposes designated:
19 a. (1) For operation of the state mental health institute
20 at Cherokee as required by chapters 218 and 226 for salaries,
21 support, maintenance, and miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:
23 \$ 14,216,149
24 FTEs 169.00
25 (2) The additional full-time equivalent positions
26 authorized in this paragraph "a" shall include 3.50 security
27 staff and 3.00 support staff, or comparable additional,
28 full-time equivalent positions.
29 b. (1) For operation of the state mental health institute
30 at Independence as required by chapters 218 and 226 for
31 salaries, support, maintenance, and miscellaneous purposes, and
32 for not more than the following full-time equivalent positions:
33 \$ 19,165,110
34 FTEs 208.00
35 (2) The additional full-time equivalent positions

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1 authorized in this paragraph “b” shall include 3.50 security
2 staff, or comparable additional, full-time equivalent
3 positions.

4 2. Notwithstanding sections 218.78 and 249A.11, any revenue
5 received from the state mental health institute at Cherokee or
6 the state mental health institute at Independence pursuant to
7 42 C.F.R §438.6(e) may be retained and expended by the mental
8 health institute.

9 3. Notwithstanding any provision of law to the contrary,
10 a Medicaid member residing at the state mental health
11 institute at Cherokee or the state mental health institute
12 at Independence shall retain Medicaid eligibility during
13 the period of the Medicaid member’s stay for which federal
14 financial participation is available.

15 4. Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available for expenditure for the purposes designated until the
19 close of the succeeding fiscal year.

20 Sec. 25. STATE RESOURCE CENTERS.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2019, and ending June 30, 2020, the following
24 amounts, or so much thereof as is necessary, to be used for the
25 purposes designated:

| | |
|---|---------------|
| 26 a. For the state resource center at Glenwood for salaries, 27 support, maintenance, and miscellaneous purposes: | |
| 28 | \$ 16,048,348 |
| 29 b. For the state resource center at Woodward for salaries, 30 support, maintenance, and miscellaneous purposes: | |
| 31 | \$ 10,872,356 |

32 2. The department may continue to bill for state resource
33 center services utilizing a scope of services approach used for
34 private providers of intermediate care facilities for persons
35 with an intellectual disability services, in a manner which

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1 does not shift costs between the medical assistance program,
2 counties, or other sources of funding for the state resource
3 centers.

4 3. The state resource centers may expand the time-limited
5 assessment and respite services during the fiscal year.

6 4. If the department’s administration and the department
7 of management concur with a finding by a state resource
8 center’s superintendent that projected revenues can reasonably
9 be expected to pay the salary and support costs for a new
10 employee position, or that such costs for adding a particular
11 number of new positions for the fiscal year would be less
12 than the overtime costs if new positions would not be added,

13 the superintendent may add the new position or positions. If
14 the vacant positions available to a resource center do not
15 include the position classification desired to be filled, the
16 state resource center's superintendent may reclassify any
17 vacant position as necessary to fill the desired position. The
18 superintendents of the state resource centers may, by mutual
19 agreement, pool vacant positions and position classifications
20 during the course of the fiscal year in order to assist one
21 another in filling necessary positions.

22 5. If existing capacity limitations are reached in
23 operating units, a waiting list is in effect for a service or
24 a special need for which a payment source or other funding
25 is available for the service or to address the special need,
26 and facilities for the service or to address the special need
27 can be provided within the available payment source or other
28 funding, the superintendent of a state resource center may
29 authorize opening not more than two units or other facilities
30 and begin implementing the service or addressing the special
31 need during fiscal year 2019-2020.

32 6. Notwithstanding section 8.33, and notwithstanding
33 the amount limitation specified in section 222.92, moneys
34 appropriated in this section that remain unencumbered or
35 unobligated at the close of the fiscal year shall not revert

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1 but shall remain available for expenditure for the purposes
2 designated until the close of the succeeding fiscal year.

3 Sec. 26. SEXUALLY VIOLENT PREDATORS.

4 1.a. There is appropriated from the general fund of the
5 state to the department of human services for the fiscal year
6 beginning July 1, 2019, and ending June 30, 2020, the following
7 amount, or so much thereof as is necessary, to be used for the
8 purpose designated:

9 For costs associated with the commitment and treatment of
10 sexually violent predators in the unit located at the state
11 mental health institute at Cherokee, including costs of legal
12 services and other associated costs, including salaries,
13 support, maintenance, and miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 15 | \$ | 12,053,093 |
| 16 | FTEs | 139.00 |

17 b. The additional full-time equivalent positions authorized
18 in paragraph "a" shall include 7.00 clinical and support staff,
19 or comparable additional, full-time equivalent positions.

20 2. Unless specifically prohibited by law, if the amount
21 charged provides for recoupment of at least the entire amount
22 of direct and indirect costs, the department of human services
23 may contract with other states to provide care and treatment
24 of persons placed by the other states at the unit for sexually
25 violent predators at Cherokee. The moneys received under
26 such a contract shall be considered to be repayment receipts

27 and used for the purposes of the appropriation made in this
28 section.

29 3. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.

34 Sec. 27. FIELD OPERATIONS.

35 1. There is appropriated from the general fund of the

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1 state to the department of human services for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For field operations, including salaries, support,
6 maintenance, and miscellaneous purposes, and for not more than
7 the following full-time equivalent positions:

| | | |
|---------|------|------------|
| 8 | \$ | 55,396,906 |
| 9 | FTEs | 1,539.00 |

10 2. The additional full-time equivalent positions authorized
11 in subsection 1 shall include 29.00 full-time equivalent staff
12 positions to relieve caseloads and 6.00 full-time equivalent
13 positions related to the eligibility integrated application
14 solution (ELIAS) system.

15 3. Priority in filling full-time equivalent positions
16 shall be given to those positions related to child protection
17 services and eligibility determination for low-income families.

18 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2019, and ending
21 June 30, 2020, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For general administration, including salaries, support,
24 maintenance, and miscellaneous purposes, and for not more than
25 the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 26 | \$ | 13,833,040 |
| 27 | FTEs | 294.00 |

28 1. The department shall report at least monthly to the
29 legislative services agency concerning the department's
30 operational and program expenditures.

31 2. Of the funds appropriated in this section, \$150,000 shall
32 be used to continue the contract for the provision of a program
33 to provide technical assistance, support, and consultation to
34 providers of habilitation services and home and community-based
35 services waiver services for adults with disabilities under the

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1 medical assistance program.
2 3. Of the funds appropriated in this section, \$50,000
3 is transferred to the Iowa finance authority to be used
4 for administrative support of the council on homelessness
5 established in section 16.2D and for the council to fulfill its
6 duties in addressing and reducing homelessness in the state.
7 4. Of the funds appropriated in this section, \$200,000 shall
8 be transferred to and deposited in the administrative fund of
9 the Iowa ABLE savings plan trust created in section 12I.4, to
10 be used for implementation and administration activities of the
11 Iowa ABLE savings plan trust.
12 5. Of the funds appropriated in this section, \$200,000 is
13 transferred to the economic development authority for the Iowa
14 commission on volunteer services to continue to be used for the
15 RefugeeRISE AmeriCorps program established under section 15H.8
16 for member recruitment and training to improve the economic
17 well-being and health of economically disadvantaged refugees in
18 local communities across Iowa. Funds transferred may be used
19 to supplement federal funds under federal regulations.
20 6. Of the funds appropriated in this section, up to \$300,000
21 shall be used as follows:
22 a. To fund not more than one full-time equivalent position
23 to address the department's responsibility to support the work
24 of the children's system state board and implementation of the
25 services required pursuant to 2018 Iowa Acts, chapter 1056,
26 section 13.
27 b. To support the cost of establishing and implementing new
28 or additional services required pursuant to 2018 Iowa Acts,
29 chapter 1056, and any legislation enacted by the 2019 general
30 assembly establishing a children's behavioral health system.
31 c. Of the amount allocated, \$32,000 shall be transferred
32 to the department of public health to support the costs of
33 establishing and implementing new or additional services
34 required pursuant to 2018 Iowa Acts, chapter 1056, and any
35 legislation enacted by the 2019 general assembly establishing a

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1 children's behavioral health system.
2 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
3 from the general fund of the state to the department of human
4 services for the fiscal year beginning July 1, 2019, and ending
5 June 30, 2020, the following amount, or so much thereof as is
6 necessary, to be used for the purposes designated:
7 For salaries, support, maintenance, and miscellaneous
8 purposes at facilities under the purview of the department of
9 human services:
10 \$ 2,879,274
11 Sec. 30. VOLUNTEERS. There is appropriated from the general
12 fund of the state to the department of human services for the

13 fiscal year beginning July 1, 2019, and ending June 30, 2020,
14 the following amount, or so much thereof as is necessary, to be
15 used for the purpose designated:

16 For development and coordination of volunteer services:
17 \$ 84,686

18 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
20 DEPARTMENT OF HUMAN SERVICES.

21 1. a. (1) (a) For the fiscal year beginning July 1,
22 2019, the department shall rebase case-mix nursing facility
23 rates effective July 1, 2019, to the extent possible within the
24 state funding, including the \$23,401,942, appropriated for this
25 purpose.

26 (b) For the fiscal year beginning July 1, 2019, non-case-mix
27 and special population nursing facilities shall be reimbursed
28 in accordance with the methodology in effect on June 30 of the
29 prior fiscal year.

30 (c) For managed care claims, the department of human
31 services shall adjust the payment rate floor for nursing
32 facilities, annually, to maintain a rate floor that is no
33 lower than the Medicaid fee-for-service case-mix adjusted
34 rate calculated in accordance with subparagraph division
35 (a) and 441 IAC 81.6. The department shall then calculate

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1 adjusted reimbursement rates, including but not limited to
2 add-on-payments, annually, and shall notify Medicaid managed
3 care organizations of the adjusted reimbursement rates within
4 30 days of determining the adjusted reimbursement rates. Any
5 adjustment of reimbursement rates under this subparagraph
6 division shall be budget neutral to the state budget.

7 (d) For the fiscal year beginning July 1, 2019, Medicaid
8 managed care long-term services and supports capitation
9 rates shall be adjusted to reflect the rebasing pursuant to
10 subparagraph division (a) for the patient populations residing
11 in Medicaid-certified nursing facilities.

12 (2) Medicaid managed care organizations shall adjust
13 facility-specific rates based upon payment rate listings issued
14 by the department. The rate adjustments shall be applied
15 prospectively from the effective date of the rate letter issued
16 by the department.

17 b. (1) For the fiscal year beginning July 1, 2019,
18 the department shall establish the pharmacy dispensing fee
19 reimbursement at \$10.07 per prescription, until a cost of
20 dispensing survey is completed. The actual dispensing fee
21 shall be determined by a cost of dispensing survey performed
22 by the department and required to be completed by all medical
23 assistance program participating pharmacies every two years,
24 adjusted as necessary to maintain expenditures within the
25 amount appropriated to the department for this purpose for the
26 fiscal year.

27 (2) The department shall utilize an average acquisition
28 cost reimbursement methodology for all drugs covered under the
29 medical assistance program in accordance with 2012 Iowa Acts,
30 chapter 1133, section 33.

31 c. (1) For the fiscal year beginning July 1, 2019,
32 reimbursement rates for outpatient hospital services shall
33 remain at the rates in effect on June 30, 2019, subject to
34 Medicaid program upper payment limit rules, and adjusted
35 as necessary to maintain expenditures within the amount

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1 appropriated to the department for this purpose for the fiscal
2 year.

3 (2) For the fiscal year beginning July 1, 2019,
4 reimbursement rates for inpatient hospital services shall
5 remain at the rates in effect on June 30, 2019, subject to
6 Medicaid program upper payment limit rules, and adjusted
7 as necessary to maintain expenditures within the amount
8 appropriated to the department for this purpose for the fiscal
9 year.

10 (3) For the fiscal year beginning July 1, 2019, under
11 both fee-for-service and managed care administration of the
12 Medicaid program, critical access hospitals shall be reimbursed
13 for inpatient and outpatient services based on a critical
14 access hospital adjustment factor methodology developed by
15 the department. The adjustment factor methodology shall
16 be hospital-specific, shall be based on the most recent
17 and complete cost reporting period, and shall be applied
18 prospectively within the funds appropriated for such purpose
19 for the fiscal year. Implementation of the critical access
20 hospital adjustment factor methodology shall be contingent
21 on the department's receipt of approval from the centers for
22 Medicare and Medicaid services of the United States department
23 of health and human services.

24 (4) For the fiscal year beginning July 1, 2019, the graduate
25 medical education and disproportionate share hospital fund
26 shall remain at the amount in effect on June 30, 2019, except
27 that the portion of the fund attributable to graduate medical
28 education shall be reduced in an amount that reflects the
29 elimination of graduate medical education payments made to
30 out-of-state hospitals.

31 (5) In order to ensure the efficient use of limited state
32 funds in procuring health care services for low-income Iowans,
33 funds appropriated in this Act for hospital services shall
34 not be used for activities which would be excluded from a
35 determination of reasonable costs under the federal Medicare

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- 1 program pursuant to 42 U.S.C. §1395x(v)(1)(N).
2 d. For the fiscal year beginning July 1, 2019, reimbursement
3 rates for hospices and acute psychiatric hospitals shall be
4 increased in accordance with increases under the federal
5 Medicare program or as supported by their Medicare audited
6 costs.
7 e. For the fiscal year beginning July 1, 2019, independent
8 laboratories and rehabilitation agencies shall be reimbursed
9 using the same methodology in effect on June 30, 2019.
10 f. (1) For the fiscal year beginning July 1, 2019,
11 reimbursement rates for home health agencies shall continue to
12 be based on the Medicare low utilization payment adjustment
13 (LUPA) methodology with state geographic wage adjustments.
14 The department shall continue to update the rates every two
15 years to reflect the most recent Medicare LUPA rates to the
16 extent possible within the state funding appropriated for this
17 purpose.
18 (2) For the fiscal year beginning July 1, 2019, rates for
19 private duty nursing and personal care services under the early
20 and periodic screening, diagnostic, and treatment program
21 benefit shall be calculated based on the methodology in effect
22 on June 30, 2019.
23 g. For the fiscal year beginning July 1, 2019, federally
24 qualified health centers and rural health clinics shall receive
25 cost-based reimbursement for 100 percent of the reasonable
26 costs for the provision of services to recipients of medical
27 assistance.
28 h. For the fiscal year beginning July 1, 2019, the
29 reimbursement rates for dental services shall remain at the
30 rates in effect on June 30, 2019.
31 i. (1) For the fiscal year beginning July 1, 2019,
32 reimbursement rates for non-state-owned psychiatric medical
33 institutions for children shall be based on the reimbursement
34 methodology in effect on June 30, 2019.
35 (2) As a condition of participation in the medical

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- 1 assistance program, enrolled providers shall accept the medical
2 assistance reimbursement rate for any covered goods or services
3 provided to recipients of medical assistance who are children
4 under the custody of a psychiatric medical institution for
5 children.
6 j. For the fiscal year beginning July 1, 2019, unless
7 otherwise specified in this Act, all noninstitutional medical
8 assistance provider reimbursement rates shall remain at the
9 rates in effect on June 30, 2019, except for area education
10 agencies, local education agencies, infant and toddler
11 services providers, home and community-based services providers
12 including consumer-directed attendant care providers under a

13 section 1915(c) or 1915(i) waiver, targeted case management
14 providers, and those providers whose rates are required to be
15 determined pursuant to section 249A.20, or to meet federal
16 mental health parity requirements.

17 k. Notwithstanding any provision to the contrary, for the
18 fiscal year beginning July 1, 2019, the reimbursement rate for
19 anesthesiologists shall remain at the rates in effect on June
20 30, 2019, and updated on January 1, 2020, to align with the
21 most current Iowa Medicare anesthesia rate.

22 l. Notwithstanding section 249A.20, for the fiscal year
23 beginning July 1, 2019, the average reimbursement rate for
24 health care providers eligible for use of the federal Medicare
25 resource-based relative value scale reimbursement methodology
26 under section 249A.20 shall remain at the rate in effect on
27 June 30, 2019; however, this rate shall not exceed the maximum
28 level authorized by the federal government.

29 m. For the fiscal year beginning July 1, 2019, the
30 reimbursement rate for residential care facilities shall not
31 be less than the minimum payment level as established by the
32 federal government to meet the federally mandated maintenance
33 of effort requirement. The flat reimbursement rate for
34 facilities electing not to file annual cost reports shall not
35 be less than the minimum payment level as established by the

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1 federal government to meet the federally mandated maintenance
2 of effort requirement.

3 n. For the fiscal year beginning July 1, 2019, the
4 reimbursement rates for inpatient mental health services
5 provided at hospitals shall remain at the rates in effect on
6 June 30, 2019, subject to Medicaid program upper payment limit
7 rules; and psychiatrists shall be reimbursed at the medical
8 assistance program fee-for-service rate in effect on June 30,
9 2019.

10 o. For the fiscal year beginning July 1, 2019, community
11 mental health centers may choose to be reimbursed for the
12 services provided to recipients of medical assistance through
13 either of the following options:

14 (1) For 100 percent of the reasonable costs of the services.

15 (2) In accordance with the alternative reimbursement rate
16 methodology approved by the department of human services in
17 effect on June 30, 2019.

18 p. For the fiscal year beginning July 1, 2019, the
19 reimbursement rate for providers of family planning services
20 that are eligible to receive a 90 percent federal match shall
21 remain at the rates in effect on June 30, 2019.

22 q. Unless otherwise subject to a tiered rate methodology,
23 for the fiscal year beginning July 1, 2019, the upper
24 limits and reimbursement rates for providers of home and
25 community-based services waiver services shall be reimbursed
26 using the reimbursement methodology in effect on June 30, 2019.

27 r. For the fiscal year beginning July 1, 2019, the
28 reimbursement rates for emergency medical service providers
29 shall remain at the rates in effect on June 30, 2019, or as
30 approved by the centers for Medicare and Medicaid services of
31 the United States department of health and human services.
32 s. For the fiscal year beginning July 1, 2019, reimbursement
33 rates for substance-related disorder treatment programs
34 licensed under section 125.13 shall remain at the rates in
35 effect on June 30, 2019.

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1 t. For the fiscal year beginning July 1, 2019, assertive
2 community treatment per diem rates shall be adjusted to reflect
3 an actual average per diem cost within the additional \$211,332
4 appropriated for this purpose.
5 2. For the fiscal year beginning July 1, 2019, the
6 reimbursement rate for providers reimbursed under the
7 in-home-related care program shall not be less than the minimum
8 payment level as established by the federal government to meet
9 the federally mandated maintenance of effort requirement.
10 3. Unless otherwise directed in this section, when the
11 department's reimbursement methodology for any provider
12 reimbursed in accordance with this section includes an
13 inflation factor, this factor shall not exceed the amount
14 by which the consumer price index for all urban consumers
15 increased during the calendar year ending December 31, 2002.
16 4. Notwithstanding section 234.38, for the fiscal
17 year beginning July 1, 2019, the foster family basic daily
18 maintenance rate and the maximum adoption subsidy rate for
19 children ages 0 through 5 years shall be \$16.78, the rate for
20 children ages 6 through 11 years shall be \$17.45, the rate for
21 children ages 12 through 15 years shall be \$19.10, and the
22 rate for children and young adults ages 16 and older shall
23 be \$19.35. For youth ages 18 to 21 who have exited foster
24 care, the preparation for adult living program maintenance rate
25 shall be \$602.70 per month. The maximum payment for adoption
26 subsidy nonrecurring expenses shall be limited to \$500 and the
27 disallowance of additional amounts for court costs and other
28 related legal expenses implemented pursuant to 2010 Iowa Acts,
29 chapter 1031, section 408, shall be continued.
30 5. For the fiscal year beginning July 1, 2019, the maximum
31 reimbursement rates for social services providers under
32 contract shall remain at the rates in effect on June 30, 2019,
33 or the provider's actual and allowable cost plus inflation for
34 each service, whichever is less. However, if a new service
35 or service provider is added after June 30, 2019, the initial

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1 reimbursement rate for the service or provider shall be based
2 upon a weighted average of provider rates for similar services.

3 6. a. For the fiscal year beginning July 1, 2019, the
4 reimbursement rates for resource family recruitment and
5 retention contractors shall be established by contract.

6 b. For the fiscal year beginning July 1, 2019, the
7 reimbursement rates for supervised apartment living foster care
8 providers shall be established by contract.

9 7. For the fiscal year beginning July 1, 2019, the
10 reimbursement rate for group foster care providers shall be the
11 combined service and maintenance reimbursement rate established
12 by contract.

13 8. The group foster care reimbursement rates paid for
14 placement of children out of state shall be calculated
15 according to the same rate-setting principles as those used for
16 in-state providers, unless the director of human services or
17 the director's designee determines that appropriate care cannot
18 be provided within the state. The payment of the daily rate
19 shall be based on the number of days in the calendar month in
20 which service is provided.

21 9.a. For the fiscal year beginning July 1, 2019, the
22 reimbursement rate paid for shelter care and the child welfare
23 emergency services implemented to provide or prevent the need
24 for shelter care shall be established by contract.

25 b. For the fiscal year beginning July 1, 2019, the combined
26 service and maintenance components of the reimbursement rate
27 paid for shelter care services shall be based on the financial
28 and statistical report submitted to the department. The
29 maximum reimbursement rate shall be \$101.83 per day. The
30 department shall reimburse a shelter care provider at the
31 provider's actual and allowable unit cost, plus inflation, not
32 to exceed the maximum reimbursement rate.

33 c. Notwithstanding section 232.141, subsection 8, for the
34 fiscal year beginning July 1, 2019, the amount of the statewide
35 average of the actual and allowable rates for reimbursement of

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1 juvenile shelter care homes that is utilized for the limitation
2 on recovery of unpaid costs shall remain at the amount in
3 effect for this purpose in the fiscal year beginning July 1,
4 2018.

5 10. For the fiscal year beginning July 1, 2019, the
6 department shall calculate reimbursement rates for intermediate
7 care facilities for persons with an intellectual disability
8 at the 80th percentile. Beginning July 1, 2019, the rate
9 calculation methodology shall utilize the consumer price index
10 inflation factor applicable to the fiscal year beginning July
11 1, 2019.

12 11. Effective July 1, 2019, the child care provider

13 reimbursement rates shall remain at the rates in effect on June
14 30, 2019. The department shall set rates in a manner so as
15 to provide incentives for a nonregistered provider to become
16 registered by applying any increase only to registered and
17 licensed providers.

18 12. The department may adopt emergency rules to implement
19 this section.

20 Sec. 32. CONTRACTED SERVICES — PROHIBITED USE OF STATE
21 FUNDING FOR LOBBYING.

22 1. The department shall submit a report to the individuals
23 identified in this Act for submission of reports by December
24 15, 2019, regarding the outcomes of any program or activity for
25 which funding is appropriated or allocated from the general
26 fund of the state to the department under this division of this
27 Act, and for which a request for proposals process is required.

28 2. The department shall incorporate into the general
29 conditions applicable to all award documents involving funding
30 appropriated or allocated from the general fund of the state to
31 the department under this division of this Act, a prohibition
32 against the use of such funding for the compensation of a
33 lobbyist. For the purposes of this section, “lobbyist” means
34 the same as defined in section 68B.2; however, “lobbyist”
35 does not include a person employed by a state agency of the

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1 executive branch of state government who represents the agency
2 relative to the passage, defeat, approval, or modification of
3 legislation that is being considered by the general assembly.

4 Sec. 33. EMERGENCY RULES.

5 1. If specifically authorized by a provision of this
6 division of this Act, the department of human services or
7 the mental health and disability services commission may
8 adopt administrative rules under section 17A.4, subsection
9 3, and section 17A.5, subsection 2, paragraph “b”, to
10 implement the provisions of this division of this Act and
11 the rules shall become effective immediately upon filing or
12 on a later effective date specified in the rules, unless the
13 effective date of the rules is delayed or the applicability
14 of the rules is suspended by the administrative rules review
15 committee. Any rules adopted in accordance with this section
16 shall not take effect before the rules are reviewed by the
17 administrative rules review committee. The delay authority
18 provided to the administrative rules review committee under
19 section 17A.4, subsection 7, and section 17A.8, subsection 9,
20 shall be applicable to a delay imposed under this section,
21 notwithstanding a provision in those sections making them
22 inapplicable to section 17A.5, subsection 2, paragraph “b”.
23 Any rules adopted in accordance with the provisions of this
24 section shall also be published as a notice of intended action
25 as provided in section 17A.4.

26 2. If during a fiscal year, the department of human

27 services is adopting rules in accordance with this section
28 or as otherwise directed or authorized by state law, and the
29 rules will result in an expenditure increase beyond the amount
30 anticipated in the budget process or if the expenditure was
31 not addressed in the budget process for the fiscal year, the
32 department shall notify the persons designated by this division
33 of this Act for submission of reports, the chairpersons and
34 ranking members of the committees on appropriations, and
35 the department of management concerning the rules and the

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1 expenditure increase. The notification shall be provided at
2 least 30 calendar days prior to the date notice of the rules
3 is submitted to the administrative rules coordinator and the
4 administrative code editor.
5 Sec. 34. REPORTS. Any reports or other information
6 required to be compiled and submitted under this Act during the
7 fiscal year beginning July 1, 2019, shall be submitted to the
8 chairpersons and ranking members of the joint appropriations
9 subcommittee on health and human services, the legislative
10 services agency, and the legislative caucus staffs on or
11 before the dates specified for submission of the reports or
12 information.

13 Sec. 35. EFFECTIVE UPON ENACTMENT. The following
14 provisions of this division of this Act, being deemed of
15 immediate importance, take effect upon enactment:

16 1. The provision relating to section 232.141 and directing
17 the state court administrator and the division administrator of
18 the department of human services division of child and family
19 services to make the determination, by June 15, 2019, of the
20 distribution of funds allocated for the payment of the expenses
21 of court-ordered services provided to juveniles which are a
22 charge upon the state.

23 DIVISION VI

24 HEALTH CARE ACCOUNTS AND FUNDS — FY 2019–2020

25 Sec. 36. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
26 appropriated from the pharmaceutical settlement account created
27 in section 249A.33 to the department of human services for the
28 fiscal year beginning July 1, 2019, and ending June 30, 2020,
29 the following amount, or so much thereof as is necessary, to be
30 used for the purpose designated:

31 Notwithstanding any provision of law to the contrary, to
32 supplement the appropriations made in this Act for medical
33 contracts under the medical assistance program for the fiscal
34 year beginning July 1, 2019, and ending June 30, 2020:

35 \$ 234,193

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1 Sec. 37. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
2 SERVICES. Notwithstanding any provision to the contrary and
3 subject to the availability of funds, there is appropriated
4 from the quality assurance trust fund created in section
5 249L.4 to the department of human services for the fiscal year
6 beginning July 1, 2019, and ending June 30, 2020, the following
7 amounts, or so much thereof as is necessary, for the purposes
8 designated:

9 To supplement the appropriation made in this Act from the
10 general fund of the state to the department of human services
11 for medical assistance for the same fiscal year:

12 \$ 58,570,397

13 Sec. 38. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
14 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
15 the contrary and subject to the availability of funds, there is
16 appropriated from the hospital health care access trust fund
17 created in section 249M.4 to the department of human services
18 for the fiscal year beginning July 1, 2019, and ending June
19 30, 2020, the following amounts, or so much thereof as is
20 necessary, for the purposes designated:

21 To supplement the appropriation made in this Act from the
22 general fund of the state to the department of human services
23 for medical assistance for the same fiscal year:

24 \$ 33,920,554

25 Sec. 39. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
26 FOR FY 2019–2020. Notwithstanding section 8.33, if moneys
27 appropriated for purposes of the medical assistance program for
28 the fiscal year beginning July 1, 2019, and ending June 30,
29 2020, from the general fund of the state, the quality assurance
30 trust fund, and the hospital health care access trust fund, are
31 in excess of actual expenditures for the medical assistance
32 program and remain unencumbered or unobligated at the close
33 of the fiscal year, the excess moneys shall not revert but
34 shall remain available for expenditure for the purposes of the
35 medical assistance program until the close of the succeeding

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1 fiscal year.

2 DIVISION VII

3 GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE
4 SERVICES AND FUNDING WORK GROUP

5 Sec. 40. GRADUATED SANCTION, COURT-ORDERED, AND GROUP
6 FOSTER CARE SERVICES AND FUNDING WORK GROUP.

7 1. As used in this section, unless the context otherwise
8 requires:

9 a. “Court-ordered services” means the defined or specific
10 care and treatment that is ordered by the court for an eligible
11 child and for which no other payment source is available to
12 cover the cost.

13 b. "Department" means the department of human services.
14 c. "Eligible child" means a child who has been adjudicated
15 delinquent, is at risk, or has been certified by the chief
16 juvenile court officer as eligible for court-ordered services.
17 d. "Graduated sanction services" includes community-based
18 interventions, school-based supervision, and supportive
19 enhancements provided in community-based settings to an
20 eligible child who is adjudicated delinquent or who is at risk
21 of adjudication.
22 2. The division of criminal and juvenile justice planning
23 of the department of human rights shall convene and provide
24 administrative support to a work group to review and develop
25 a plan to transfer the administration of graduated sanctions
26 and court-ordered services and funding and the oversight of
27 group foster care placements for eligible children from the
28 department to the office of the state court administrator.
29 The plan shall ensure that the office of the state court
30 administrator has the capacity, resources, and expertise to
31 manage the funding and services effectively.
32 3. a. In addition to a representative of the division of
33 criminal and juvenile justice planning of the department of
34 human rights, the membership of the work group shall include
35 but is not limited to representatives of all of the following:

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1 (1) The judicial branch, including the state court
2 administrator or the state court administrator's designee,
3 a juvenile court judge, at least one chief juvenile court
4 officer, and a representative with fiscal and contract
5 experience.
6 (2) The department of human services, including
7 representatives with experience managing graduated sanctions
8 funding and group foster care placements.
9 (3) The department of justice.
10 (4) The juvenile justice advisory committee.
11 (5) Member and nonmember agencies of the coalition for
12 family and children's services in Iowa.
13 (6) Providers of community-based services for eligible
14 children.
15 (7) Providers of group foster care.
16 (8) Attorneys who represent children in juvenile justice
17 proceedings.
18 (9) County attorneys.
19 (10) Federal Title IV-E funding and services subject matter
20 experts.
21 (11) Individuals who formerly received services as eligible
22 children or their parents.
23 b. In addition, the work group membership shall include
24 four members of the general assembly. The legislative members
25 shall serve as ex officio, nonvoting members of the work group,
26 with one member to be appointed by each of the following: the

majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives.

c. In addition to the members specified, the division of criminal and juvenile justice planning may include other stakeholders with interest or expertise on the work group.

d. Any expenses incurred by a member of the work group shall be the responsibility of the individual member or the respective entity represented by the member.

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4. The work group shall do all of the following:

a. Develop an action plan to transfer the administration of juvenile court graduated sanction services, court-ordered services, and associated funding from the department to the office of the state court administrator or other appropriate state entity.

b. Develop an action plan to transfer the oversight of group foster care services for eligible children from the department to the office of the state court administrator or other appropriate state entity with the necessary expertise to provide such services.

c. Develop an action plan to transfer administration of the juvenile detention home fund created in section 232.142 from the department to the office of the state court administrator or other appropriate state entity.

d. Evaluate current resources to determine the most efficient means of suitably equipping the office of the state court administrator or other appropriate state entity with the policies and legal authority; staffing; contracting, procurement, data, and quality assurance capabilities; and other resources necessary to manage such funds and associated services effectively. The evaluation shall require collaboration with the department to manage transition activities.

e. Recommend statutory and administrative policies and court rules to promote collaborative case planning and quality assurance between the department and juvenile court services for youth who may be involved in both the child welfare and juvenile justice systems or who may utilize the same providers or services.

f. Determine the impact and role of the federal Family First Prevention Services Act relative to the various funding streams and services under the purview of the work group, and recommend statutory and administrative policies and rules to coordinate the duties of the work group with implementation and

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1 administration of the federal Act.

2 g. Determine the role of the decategorization of child
3 welfare and juvenile justice funding initiative pursuant
4 to section 232.188 relative to the other funding streams
5 and services under the purview of the work group, and make
6 recommendations regarding the future of the initiative
7 including the potential transfer of administration of the
8 initiative from the department to the office of the state court
9 administrator or other appropriate state entity.

10 h. Consult with other state juvenile court systems and
11 subject matter experts to review administration of similar
12 programs, to glean information on lessons learned and best
13 practices, and to determine the types of community and
14 residential services that have demonstrated effectiveness for
15 eligible children.

16 5. The division of criminal and juvenile justice planning
17 of the department of human rights shall submit a report of the
18 findings and recommendations of the work group, including a
19 plan to implement the recommendations by July 1, 2021, to the
20 governor and the general assembly by December 15, 2019.

21 DIVISION VIII

22 CO-OCCURRING CONDITIONS — ENHANCED DELIVERY OF SERVICES REVIEW

23 Sec. 41. REVIEW TO PROVIDE ENHANCED DELIVERY OF SERVICES

24 FOR CO-OCCURRING CONDITIONS. The director of the department

25 of public health and the director of the department of human

26 services shall develop recommendations for the enhanced

27 delivery of co-occurring conditions services. The directors

28 shall examine the current service delivery system to identify

29 opportunities for reducing the administrative burden on the

30 departments and providers, evaluate the use of an integrated

31 helpline and website and improvements in data collection

32 and sharing of outcomes, and create a structure for ongoing

33 collaboration. The directors shall submit a report including

34 findings, a five-year plan to address co-occurring conditions

35 across provider types and payors, and other recommendations to

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1 the governor and general assembly by December 15, 2019.

2 DIVISION IX

3 MEDICAID MANAGED CARE CONTRACTS

4 Sec. 42. MEDICAID MANAGED CARE CONTRACTS — NOTIFICATION

5 TO GENERAL ASSEMBLY. The department of human services shall

6 notify the chairpersons and ranking members of the joint

7 appropriations subcommittee on health and human services, the

8 legislative services agency, and the legislative caucus staffs

9 as follows:

10 1. Within thirty days of the execution of a Medicaid managed
11 care contract or amendment to a Medicaid managed care contract.

12 2. Within thirty days of the determination by the

13 department during each measurement year whether to return the
14 incentive payment withhold amount to the Medicaid managed care
15 organization based upon performance and the criteria used in
16 making the determination.

17 DIVISION X

18 IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING

19 Sec. 43. IOWA DEPARTMENT ON AGING — MEDICAID CLAIMING. The
20 department on aging and the department of human services shall
21 continue to collaborate to develop a cost allocation plan
22 requesting Medicaid administrative funding to provide for the
23 claiming of federal financial participation for aging and
24 disability resource center activities that are performed to
25 assist with administration of the Medicaid program. By January
26 1, 2021, the department of human services shall submit to
27 the centers for Medicare and Medicaid services of the United
28 States department of health and human services any Medicaid
29 state plan amendment as necessary and shall enter into any
30 interagency agreement with the department on aging to implement
31 this section.

32 DIVISION XI

33 DECATEGORYIZATION FY 2017 CARRYOVER FUNDING

34 Sec. 44. DECATEGORYIZATION CARRYOVER FUNDING FY 2017 —
35 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,

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1 subsection 5, paragraph “b”, any state-appropriated moneys in
2 the funding pool that remained unencumbered or unobligated
3 at the close of the fiscal year beginning July 1, 2016, and
4 were deemed carryover funding to remain available for the two
5 succeeding fiscal years that still remain unencumbered or
6 unobligated at the close of the fiscal year beginning July 1,
7 2018, shall not revert but shall be transferred to the medical
8 assistance program for the fiscal year beginning July 1, 2019.

9 Sec. 45. EFFECTIVE DATE. This division of this Act, being
10 deemed of immediate importance, takes effect upon enactment.

11 Sec. 46. RETROACTIVE APPLICABILITY. This division of this
12 Act applies retroactively to July 1, 2018.

13 DIVISION XII

14 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

15 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

16 Sec. 47. 2017 Iowa Acts, chapter 174, section 45, as amended
17 by 2018 Iowa Acts, chapter 1165, section 10, is amended to read
18 as follows:

19 SEC. 45. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
20 GRANT. There is appropriated from the fund created in section
21 8.41 to the department of human services for the fiscal year
22 beginning July 1, 2018, and ending June 30, 2019, from moneys
23 received under the federal temporary assistance for needy
24 families (TANF) block grant pursuant to the federal Personal
25 Responsibility and Work Opportunity Reconciliation Act of 1996,
26 Pub. L. No. 104-193, and successor legislation, the following

27 amounts, or so much thereof as is necessary, to be used for the
 28 purposes designated:
 29 1. To be credited to the family investment program account
 30 and used for assistance under the family investment program
 31 under chapter 239B:
 32 \$ 4,539,006
 33 4,025,108
 34 2. To be credited to the family investment program account
 35 and used for the job opportunities and basic skills (JOBS)

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1 program and implementing family investment agreements in
 2 accordance with chapter 239B:
 3 \$ 5,412,060
 4 5,192,060
 5 3. To be used for the family development and
 6 self-sufficiency grant program in accordance with section
 7 216A.107:
 8 \$ 2,883,980
 9 2,898,980
 10 Notwithstanding section 8.33, moneys appropriated in this
 11 subsection that remain unencumbered or unobligated at the close
 12 of the fiscal year shall not revert but shall remain available
 13 for expenditure for the purposes designated until the close of
 14 the succeeding fiscal year. However, unless such moneys are
 15 encumbered or obligated on or before September 30, 2019, the
 16 moneys shall revert.
 17 4. For field operations:
 18 \$ 31,206,232
 19 32,465,681
 20 5. For general administration:
 21 \$ 3,744,000
 22 6. For state child care assistance:
 23 \$ 47,166,826
 24 a. Of the funds appropriated in this subsection,
 25 \$26,205,412 is transferred to the child care and development
 26 block grant appropriation made by the Eighty-seventh General
 27 Assembly, 2018 session, for the federal fiscal year beginning
 28 October 1, 2018, and ending September 30, 2019. Of this
 29 amount, \$200,000 shall be used for provision of educational
 30 opportunities to registered child care home providers in order
 31 to improve services and programs offered by this category
 32 of providers and to increase the number of providers. The
 33 department may contract with institutions of higher education
 34 or child care resource and referral centers to provide
 35 the educational opportunities. Allowable administrative

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1 costs under the contracts shall not exceed 5 percent. The
 2 application for a grant shall not exceed two pages in length.

3 b. Any funds appropriated in this subsection remaining
 4 unallocated shall be used for state child care assistance
 5 payments for families who are employed including but not
 6 limited to individuals enrolled in the family investment
 7 program.

8 7. For child and family services:

9 \$ 32,380,654

10 8. For child abuse prevention grants:

11 \$ 125,000

12 9. For pregnancy prevention grants on the condition that
 13 family planning services are funded:

14 \$ 1,018,203

15 1,890,203

16 Pregnancy prevention grants shall be awarded to programs
 17 in existence on or before July 1, 2018, if the programs have
 18 demonstrated positive outcomes. Grants shall be awarded to
 19 pregnancy prevention programs which are developed after July
 20 1, 2018, if the programs are based on existing models that
 21 have demonstrated positive outcomes. Grants shall comply with
 22 the requirements provided in 1997 Iowa Acts, chapter 208,
 23 section 14, subsections 1 and 2, including the requirement that
 24 grant programs must emphasize sexual abstinence. Priority in
 25 the awarding of grants shall be given to programs that serve
 26 areas of the state which demonstrate the highest percentage of
 27 unplanned pregnancies of females of childbearing age within the
 28 geographic area to be served by the grant.

29 10. For technology needs and other resources necessary
 30 to meet federal welfare reform reporting, tracking, and case
 31 management requirements:

32 \$ 1,037,186

33 862,186

34 11. a. Notwithstanding any provision to the contrary,
 35 including but not limited to requirements in section 8.41 or

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1 provisions in 2017 or 2018 Iowa Acts regarding the receipt and
 2 appropriation of federal block grants, federal funds from the
 3 temporary assistance for needy families block grant received by
 4 the state and not otherwise appropriated in this section and
 5 remaining available for the fiscal year beginning July 1, 2018,
 6 are appropriated to the department of human services to the
 7 extent as may be necessary to be used in the following priority
 8 order: the family investment program, for state child care
 9 assistance program payments for families who are employed, and
 10 for the family investment program share of system costs for
 11 eligibility determination and related functions. The federal
 12 funds appropriated in this paragraph "a" shall be expended

13 only after all other funds appropriated in subsection 1 for
14 assistance under the family investment program, in subsection 6
15 for child care assistance, or in subsection 10 for technology
16 costs related to the family investment program, as applicable,
17 have been expended. For the purposes of this subsection, the
18 funds appropriated in subsection 6, paragraph “a”, for transfer
19 to the child care and development block grant appropriation
20 are considered fully expended when the full amount has been
21 transferred.

22 b. The department shall, on a quarterly basis, advise the
23 legislative services agency and department of management of
24 the amount of funds appropriated in this subsection that was
25 expended in the prior quarter.

26 12. Of the amounts appropriated in this section,
27 \$12,962,008 for the fiscal year beginning July 1, 2018, is
28 transferred to the appropriation of the federal social services
29 block grant made to the department of human services for that
30 fiscal year.

31 13. For continuation of the program providing categorical
32 eligibility for the food assistance program as specified
33 for the program in the section of this division of this Act
34 relating to the family investment program account:

35 \$ 14,236

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1 13,000

2 14. The department may transfer funds allocated in this
3 section to the appropriations made in this division of this Act
4 for the same fiscal year for general administration and field
5 operations for resources necessary to implement and operate the
6 services referred to in this section and those funded in the
7 appropriation made in this division of this Act for the same
8 fiscal year for the family investment program from the general
9 fund of the state.

10 15. With the exception of moneys allocated under this
11 section for the family development and self-sufficiency grant
12 program, to the extent moneys allocated in this section are
13 deemed by the department not to be necessary to support the
14 purposes for which they are allocated, such moneys may be
15 used in the same fiscal year for any other purpose for which
16 funds are allocated in this section or in section 7 of this
17 division for the family investment program account. If there
18 are conflicting needs, priority shall first be given to the
19 family investment program account as specified under subsection
20 1 of this section and used for the purposes of assistance under
21 the family investment program under chapter 239B, followed by
22 state child care assistance program payments for families who
23 are employed, followed by other priorities as specified by the
24 department.

25 FAMILY INVESTMENT PROGRAM ADJUSTMENTS

26 Sec. 48. 2017 Iowa Acts, chapter 174, section 46, subsection
 27 4, as amended by 2018 Iowa Acts, chapter 1165, section 11, is
 28 amended to read as follows:

29 4. Moneys appropriated in this division of this Act and
 30 credited to the FIP account for the fiscal year beginning July
 31 1, 2018, and ending June 30, 2019, are allocated as follows:

32 a. To be retained by the department of human services to
 33 be used for coordinating with the department of human rights
 34 to more effectively serve participants in FIP and other shared
 35 clients and to meet federal reporting requirements under the

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| | |
|---|----------------|
| 1 federal temporary assistance for needy families block grant: | |
| 2 | \$ 5,000 |
| 3 | <u>20,000</u> |
| 4 b. To the department of human rights for staffing, | |
| 5 administration, and implementation of the family development | |
| 6 and self-sufficiency grant program in accordance with section | |
| 7 216A.107: | |
| 8 | \$ 6,192,834 |
| 9 (1) Of the funds allocated for the family development | |
| 10 and self-sufficiency grant program in this paragraph "b", | |
| 11 not more than 5 percent of the funds shall be used for the | |
| 12 administration of the grant program. | |
| 13 (2) The department of human rights may continue to implement | |
| 14 the family development and self-sufficiency grant program | |
| 15 statewide during fiscal year 2018–2019. | |
| 16 (3) The department of human rights may engage in activities | |
| 17 to strengthen and improve family outcomes measures and | |
| 18 data collection systems under the family development and | |
| 19 self-sufficiency grant program. | |
| 20 c. For the diversion subaccount of the FIP account: | |
| 21 | \$ 749,694 |
| 22 | <u>815,000</u> |
| 23 A portion of the moneys allocated for the subaccount may | |
| 24 be used for field operations, salaries, data management | |
| 25 system development, and implementation costs and support | |
| 26 deemed necessary by the director of human services in order to | |
| 27 administer the FIP diversion program. To the extent moneys | |
| 28 allocated in this paragraph "c" are deemed by the department | |
| 29 not to be necessary to support diversion activities, such | |
| 30 moneys may be used for other efforts intended to increase | |
| 31 engagement by family investment program participants in work, | |
| 32 education, or training activities, or for the purposes of | |
| 33 assistance under the family investment program in accordance | |
| 34 with chapter 239B. | |
| 35 d. For the food assistance employment and training program: | |

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| | | | |
|----|---|----|-------------------|
| 1 | | \$ | 66,588 |
| 2 | (1) The department shall apply the federal supplemental | | |
| 3 | nutrition assistance program (SNAP) employment and training | | |
| 4 | state plan in order to maximize to the fullest extent permitted | | |
| 5 | by federal law the use of the 50 percent federal reimbursement | | |
| 6 | provisions for the claiming of allowable federal reimbursement | | |
| 7 | funds from the United States department of agriculture | | |
| 8 | pursuant to the federal SNAP employment and training program | | |
| 9 | for providing education, employment, and training services | | |
| 10 | for eligible food assistance program participants, including | | |
| 11 | but not limited to related dependent care and transportation | | |
| 12 | expenses. | | |
| 13 | (2) The department shall continue the categorical federal | | |
| 14 | food assistance program eligibility at 160 percent of the | | |
| 15 | federal poverty level and continue to eliminate the asset test | | |
| 16 | from eligibility requirements, consistent with federal food | | |
| 17 | assistance program requirements. The department shall include | | |
| 18 | as many food assistance households as is <u>are</u> allowed by federal | | |
| 19 | law. The eligibility provisions shall conform to all federal | | |
| 20 | requirements including requirements addressing individuals who | | |
| 21 | are incarcerated or otherwise ineligible. | | |
| 22 | e. For the JOBS program: | | |
| 23 | ..... | \$ | <u>12,130,821</u> |
| 24 | | | <u>11,919,821</u> |
| 25 | MEDICAL ASSISTANCE PROGRAM ADJUSTMENT | | |
| 26 | Sec. 49. 2017 Iowa Acts, chapter 174, section 51, unnumbered | | |
| 27 | paragraph 2, as amended by 2018 Iowa Acts, chapter 1165, | | |
| 28 | section 18, is amended to read as follows: | | |
| 29 | For medical assistance program reimbursement and associated | | |
| 30 | costs as specifically provided in the reimbursement | | |
| 31 | methodologies in effect on June 30, 2018, except as otherwise | | |
| 32 | expressly authorized by law, consistent with options under | | |
| 33 | federal law and regulations, and contingent upon receipt of | | |
| 34 | approval from the office of the governor of reimbursement for | | |
| 35 | each abortion performed under the program: | | |

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| | | | |
|----|--|----|----------------------|
| 1 | | \$ | <u>1,337,841,375</u> |
| 2 | | | <u>1,488,141,375</u> |
| 3 | GROUP FOSTER CARE REALLOCATION | | |
| 4 | Sec. 50. 2017 Iowa Acts, chapter 174, section 57, subsection | | |
| 5 | 3, paragraph a, as amended by 2018 Iowa Acts, chapter 1165, | | |
| 6 | section 28, is amended to read as follows: | | |
| 7 | a. Of the funds appropriated in this section, up to | | |
| 8 | \$34,536,648 is allocated as the statewide expenditure target | | |
| 9 | under section 232.143 for group foster care maintenance and | | |
| 10 | services. If the department projects that such expenditures | | |
| 11 | for the fiscal year will be less than the target amount | | |
| 12 | allocated in this paragraph "a", the department may reallocate | | |

the excess to provide additional funding for family foster care, independent living, family safety, risk and permanency services, shelter care, or the child welfare emergency services addressed with the allocation for shelter care.

SHELTER CARE ALLOCATION

Sec. 51. 2017 Iowa Acts, chapter 174, section 57, subsection 6, as amended by 2018 Iowa Acts, chapter 1165, section 28, is amended to read as follows:

6. ~~Notwithstanding section 234.35 or any other provision of law to the contrary, state funding~~ Of the funds appropriated in this section, a sufficient amount is allocated for shelter care and the child welfare emergency services contracting implemented to provide for or prevent the need for shelter care ~~shall be limited to \$8,096,158.~~

OTHER FUNDING FOR CHILD WELFARE SERVICES

Sec. 52. 2017 Iowa Acts, chapter 174, section 57, as amended by 2018 Iowa Acts, chapter 1165, section 28, is amended by adding the following new subsection:

NEW SUBSECTION. 24. If a separate funding source is identified that reduces the need for state funds within an allocation under this section, the allocated state funds may be redistributed to other allocations under this section for the same fiscal year.

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Sec. 53. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 54. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2018.

DIVISION XIII

HOSPITAL HEALTH CARE ACCESS ASSESSMENT PROGRAM FUTURE REPEAL

Sec. 55. Section 249M.5, Code 2019, is amended to read as follows:

249M.5 Future repeal.

This chapter is repealed July 1, ~~2019~~ 2021.

Sec. 56. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XIV

MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS

Sec. 57. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS. Notwithstanding section 331.432, a county with a population of over 300,000 based on the most recent federal decennial census, may transfer funds from any other fund of the county to the mental health and disability regional services fund for the purposes of providing mental health and disability services for the fiscal year beginning July 1, 2019, and ending June 30, 2020. The county shall submit a report to the governor and the general assembly by September 1, 2020, including the source of any funds transferred, the amount of the funds transferred, and the mental health and disability services provided with the transferred funds.

27 DIVISION XV
28 OPERATION OF BOARD OF MEDICINE, BOARD OF NURSING, BOARD OF
29 PHARMACY, AND THE DENTAL BOARD
30 Sec. 58. Section 135.11A, subsection 1, Code 2019, is
31 amended to read as follows:
32 1. There shall be a professional licensure division within
33 the department of public health. Each board under chapter 147
34 or under the administrative authority of the department, except
35 the board of nursing, board of medicine, dental board, and

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1 board of pharmacy, shall receive administrative and clerical
2 support from the division and may not employ its own support
3 staff for administrative and clerical duties. The executive
4 director of the board of nursing, board of medicine, dental
5 board, and board of pharmacy shall be appointed pursuant to
6 section 135.11B.
7 Sec. 59. NEW SECTION. 135.11B Appointment of certain
8 executive directors.
9 1. The director shall appoint and supervise a full-time
10 executive director for each of the following boards:
11 a. The board of medicine.
12 b. The board of nursing.
13 c. The dental board.
14 d. The board of pharmacy.
15 2. Each board listed in subsection 1 shall advise the
16 director in evaluating potential candidates for the position of
17 executive director, consult with the director in the hiring of
18 the executive director, and review and advise the director on
19 the performance of the executive director in the discharge of
20 the executive director's duties.
21 3. Each board listed in subsection 1 shall retain sole
22 discretion and authority to execute the core functions of the
23 board including but not limited to policymaking, advocating
24 for and against legislation, rulemaking, licensing, licensee
25 investigations, licensee disciplinary proceedings, and
26 oversight of professional health programs. The director's
27 supervision of the executive director shall not interfere with
28 the board's discretion and authority in executing the core
29 functions of the board.
30 Sec. 60. Section 147.80, subsection 3, Code 2019, is amended
31 to read as follows:
32 3. The board of medicine, the board of pharmacy, the
33 dental board, and the board of nursing shall retain individual
34 executive officers pursuant to section 135.11B, but shall
35 make every effort to share administrative, clerical, and

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1 investigative staff to the greatest extent possible.

2 Sec. 61. Section 152.2, Code 2019, is amended to read as
3 follows:

4 **152.2 Executive director.**

5 The board shall ~~appoint~~ retain a full-time executive
6 director, who shall be appointed pursuant to section 135B.11.

7 The executive director shall be a registered nurse ~~and shall~~
8 ~~not be a member of the board.~~ The governor, with the approval
9 of the executive council pursuant to section 8A.413, subsection
10 3, under the pay plan for exempt positions in the executive
11 branch of government, shall set the salary of the executive
12 director.

13 Sec. 62. Section 153.33, subsection 2, Code 2019, is amended
14 to read as follows:

15 2. All employees needed to administer this chapter except
16 the executive director shall be appointed pursuant to the merit
17 system. The executive director shall ~~serve at the pleasure of~~
18 ~~the board~~ be appointed pursuant to section 135.11B and shall
19 be exempt from the merit system provisions of chapter 8A,
20 subchapter IV.

21 **DIVISION XVI**

22 **MEDICAID MEDICAL PRIOR AUTHORIZATION — UNIFORM PROCESS —**
23 **CENTRAL PORTAL**

24 Sec. 63. **MEDICAID — MEDICAL PRIOR AUTHORIZATION UNIFORM**
25 **PROCESS.** The department of human services shall adopt rules
26 pursuant to chapter 17A by October 1, 2019, to require that
27 both managed care and fee-for-service payment and delivery
28 systems utilize a uniform process, including but not limited to
29 uniform forms, information requirements, and time frames, to
30 request medical prior authorization under the Medicaid program.
31 The rules shall require the managed care organizations,
32 by contract, to implement the uniform process by a date as
33 determined by the department.

34 Sec. 64. **MEDICAID MANAGEMENT INFORMATION SYSTEM — CENTRAL**
35 **PORTAL — REVIEW.** The department shall review the costs

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1 associated with expanding the medical assistance management
2 information system to integrate a single, statewide system to
3 serve as a central portal for submission of all medical prior
4 authorization requests for the Medicaid program. The portal
5 shall not be designed to make or review final determinations
6 of managed care organization medical prior authorization
7 requests, but shall only serve as a conduit to deliver medical
8 prior authorization requests to the appropriate managed care
9 organization. The results of the study shall be submitted to
10 the governor and the general assembly no later than March 31,
11 2020.

12 Sec. 65. **EFFECTIVE DATE.** This division of this Act, being

13 deemed of immediate importance, takes effect upon enactment.

14 DIVISION XVII

15 HEALTH AND HUMAN SERVICES EXECUTIVE BRANCH ENTITIES — REFORM

16 IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK

17 Sec. 66. Section 135.24, subsection 7, paragraph e, Code
18 2019, is amended to read as follows:

19 e. “*Specialty health care provider office*” means the
20 private office or clinic of an individual specialty health
21 care provider or group of specialty health care providers ~~as~~
22 ~~referred by the Iowa collaborative safety net provider network~~
23 ~~established in section 135.153~~, but does not include a field
24 dental clinic, a free clinic, or a hospital.

25 Sec. 67. Section 135.159, subsection 1, paragraph h, Code
26 2019, is amended by striking the paragraph.

27 Sec. 68. REPEAL. Section 135.153, Code 2019, is repealed.

28 HOSPITAL HEALTH CARE ACCESS TRUST FUND BOARD

29 Sec. 69. Section 249M.4, Code 2019, is amended to read as
30 follows:

31 **249M.4 Hospital health care access trust fund — ~~board~~.**

32 1. A hospital health care access trust fund is created
33 in the state treasury under the authority of the department.
34 Moneys received through the collection of the hospital health
35 care access assessment imposed under this chapter and any

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1 other moneys specified for deposit in the trust fund shall be
2 deposited in the trust fund.

3 2. Moneys in the trust fund shall be used, subject to
4 their appropriation by the general assembly, by the department
5 to reimburse participating hospitals the medical assistance
6 program upper payment limit for inpatient and outpatient
7 hospital services as calculated in this section. Following
8 payment of such upper payment limit to participating hospitals,
9 any remaining funds in the trust fund on an annual basis may be
10 used for any of the following purposes:

11 a. To support medical assistance program utilization
12 shortfalls.

13 b. To maintain the state’s capacity to provide access to and
14 delivery of services for vulnerable Iowans.

15 c. To fund the health care workforce support initiative
16 created pursuant to section 135.175.

17 d. To support access to health care services for uninsured
18 Iowans.

19 e. To support Iowa hospital programs and services which
20 expand access to health care services for Iowans.

21 3. The trust fund shall be separate from the general fund
22 of the state and shall not be considered part of the general
23 fund. The moneys in the trust fund shall not be considered
24 revenue of the state, but rather shall be funds of the hospital
25 health care access assessment program. The moneys deposited
26 in the trust fund are not subject to section 8.33 and shall not

27 be transferred, used, obligated, appropriated, or otherwise
28 encumbered, except to provide for the purposes of this chapter.
29 Notwithstanding section 12C.7, subsection 2, interest or
30 earnings on moneys deposited in the trust fund shall be
31 credited to the trust fund.
32 4. The department shall adopt rules pursuant to chapter
33 17A to administer the trust fund and reimbursements and
34 expenditures as specified in this chapter made from the trust
35 fund.

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1 5. *a.* Beginning July 1, 2010, or the implementation date
2 of the hospital health care access assessment program as
3 determined by receipt of approval from the centers for Medicare
4 and Medicaid services of the United States department of health
5 and human services, whichever is later, the department shall
6 increase the diagnostic related groups and ambulatory patient
7 classifications base rates to provide payments to participating
8 hospitals at the Medicare upper payment limit for the fiscal
9 year beginning July 1, 2010, calculated as of July 31, 2010.
10 Each participating hospital shall receive the same percentage
11 increase, but the percentage may differ depending on whether
12 the basis for the base rate increase is the diagnostic related
13 groups or ambulatory patient classifications.
14 *b.* The percentage increase shall be calculated by dividing
15 the amount calculated under subparagraph (1) by the amount
16 calculated under subparagraph (2) as follows:
17 (1) The amount under the Medicare upper payment limit for
18 the fiscal year beginning July 1, 2010, for participating
19 hospitals.
20 (2) The projected expenditures for participating hospitals
21 for the fiscal year beginning July 1, 2010, as determined by
22 the fiscal management division of the department, plus the
23 amount calculated under subparagraph (1).
24 6. For the fiscal year beginning July 1, 2011, and for
25 each fiscal year beginning July 1, thereafter, the payments to
26 participating hospitals shall continue to be calculated based
27 on the upper payment limit as calculated for the fiscal year
28 beginning July 1, 2010.
29 7. Reimbursement of participating hospitals shall
30 incorporate the rebasing process for inpatient and outpatient
31 services for state fiscal year 2012. However, the total amount
32 of increased funding available for reimbursement attributable
33 to rebasing shall not exceed four million five hundred thousand
34 dollars for state fiscal year 2012 and six million dollars for
35 state fiscal year 2013.

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1 8. Any payments to participating hospitals under this
 2 section shall result in budget neutrality to the general fund
 3 of the state.

4 ~~9. a. A hospital health care access trust fund board is~~
 5 ~~established consisting of the following members:~~

6 ~~(1) The co chairpersons and the ranking members of the joint~~
 7 ~~appropriations subcommittee on health and human services.~~

8 ~~(2) The Iowa medical assistance program director.~~

9 ~~(3) Two hospital executives representing the two largest~~
 10 ~~private health care systems in the state.~~

11 ~~(4) The president of the Iowa hospital association.~~

12 ~~(5) A representative of a consumer advocacy group, involved~~
 13 ~~in both state and national initiatives, that provides data on~~
 14 ~~key indicators of well-being for children and families in order~~
 15 ~~to inform policymakers to help children and families succeed.~~

16 ~~b. The board shall do all of the following:~~

17 ~~(1) Provide oversight of the trust fund.~~

18 ~~(2) Make recommendations regarding the hospital health care~~
 19 ~~access assessment program, including recommendations regarding~~
 20 ~~the assessment calculation, assessment amounts, payments to~~
 21 ~~participating hospitals, and use of the moneys in the trust~~
 22 ~~fund.~~

23 ~~(3) Submit an annual report to the governor and the general~~
 24 ~~assembly regarding the use and expenditure of moneys deposited~~
 25 ~~in the trust fund.~~

26 ~~c. The department shall provide administrative assistance~~
 27 ~~to the board.~~

28 ADVISORY COMMITTEE TO THE CENTER FOR RURAL HEALTH AND PRIMARY
 29 CARE

30 Sec. 70. Section 135.107, subsection 5, Code 2019, is
 31 amended by striking the subsection.

32 Sec. 71. Section 262.78, subsection 3, Code 2019, is amended
 33 to read as follows:

34 3. The president of the university of Iowa, in consultation
 35 with the president of Iowa state university of science and

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1 technology, shall employ a full-time director of the center.
 2 The center may employ staff to carry out the center's purpose.
 3 The director shall coordinate the agricultural health and
 4 safety programs of the center. The director shall regularly
 5 meet and consult with the ~~advisory committee to the center for~~
 6 rural health and primary care. The director shall provide
 7 the board of regents with relevant information regarding the
 8 center.

9 GOVERNMENTAL PUBLIC HEALTH ADVISORY COUNCIL

10 Sec. 72. Section 135A.2, subsection 2, Code 2019, is amended
 11 by striking the subsection.

12 Sec. 73. Section 135A.9, subsection 1, Code 2019, is amended

13 by striking the subsection.

14 Sec. 74. REPEAL. Section 135A.4, Code 2019, is repealed.

15 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

16 Sec. 75. REPEAL. Section 135.159, Code 2019, is repealed.

17 COMBINING STATE MEDICAL EXAMINER ADVISORY COUNCIL WITH THE

18 INTERAGENCY COORDINATING COUNCIL

19 Sec. 76. Section 691.6B, Code 2019, is amended to read as follows:

20 **691.6B Interagency coordinating council.**

21 1. An interagency coordinating council is created to advise
22 do all of the following:

23 a. Advise and consult with the state medical examiner on a
24 range of issues affecting the organization and functions of the
25 office of the state medical examiner and the effectiveness of
26 the medical examiner system in the state.

27 b. Advise the state medical examiner concerning the
28 assurance of effective coordination of the functions and
29 operations of the office of the state medical examiner with the
30 needs and interests of the departments of public safety and
31 public health.

32 2. Members of the interagency coordinating council shall
33 include the all of the following:

34 a. The state medical examiner, or when the state medical

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1 examiner is not available, the deputy state medical examiner;
2 ~~the.~~

3 b. The commissioner of public safety or the commissioner's
4 designee; the.

5 c. The director of public health or the director's designee;
6 and the.

7 d. The governor or the governor's designee.

8 e. Representatives from the office of the attorney
9 general, the Iowa county attorneys association, the Iowa
10 medical society, the Iowa association of pathologists, the
11 Iowa association of county medical examiners, the statewide
12 emergency medical system, and the Iowa funeral directors
13 association.

14 3. The interagency coordinating council shall meet on
15 a regular basis, and shall be organized and function as
16 established by the state medical examiner by rule.

17 Sec. 77. REPEAL. Section 691.6C, Code 2019, is repealed.

18 TRAUMA SYSTEM ADVISORY COUNCIL

19 Sec. 78. Section 147A.24, subsection 2, Code 2019, is
20 amended to read as follows:

21 2. The council shall consist of seven members to be
22 appointed by the director from the recommendations of
23 the organizations in subsection 1 for terms of two years.
24 Vacancies on the council shall be filled for the remainder of
25 the term of the original appointment. Members whose terms
26 expire may be reappointed.

27 Sec. 79. TRANSITION PROVISIONS. Notwithstanding any
28 provision of section 147A.24, subsection 2, to the contrary, a
29 member of the trauma system advisory council on July 1, 2019,
30 shall continue serving until the expiration of that member's
31 term or until a vacancy occurs prior to the expiration of the
32 applicable term, and such vacancy shall only be filled to the
33 extent consistent with and necessary to maintain the total
34 number of members of the council specified in section 147A.24,
35 subsection 2, as amended in this Act.

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1 TELECONFERENCE OPTION FOR STATE ENTITIES

2 Sec. 80. NEW SECTION. 135.11B Statutory board, commission,
3 **committee, or council of committee — teleconference option.**

4 Any statutorily established board, commission, committee, or
5 council established under the purview of the department shall
6 provide for a teleconference option for board, commission,
7 committee, or council members to participate in official
8 meetings.

9 ELIMINATION OF PAYMENT OF EXPENSES FOR PUBLIC MEMBERS OF
10 CERTAIN STATE ENTITIES

11 Sec. 81. Section 105.3, subsection 6, Code 2019, is amended
12 by striking the subsection.

13 Sec. 82. Section 135.43, subsection 2, unnumbered paragraph
14 1, Code 2019, is amended to read as follows:

15 The membership of the review team is subject to the
16 provisions of sections 69.16 and 69.16A, relating to political
17 affiliation and gender balance. Review team members who
18 are not designated by another appointing authority shall be
19 appointed by the state medical examiner. Membership terms
20 shall be for three years. A membership vacancy shall be filled
21 in the same manner as the original appointment. The review
22 team shall elect a chairperson and other officers as deemed
23 necessary by the review team. The review team shall meet upon
24 the call of the state medical examiner or as determined by
25 the review team. ~~The members of the team are eligible for~~
26 ~~reimbursement of actual and necessary expenses incurred in the~~
27 ~~performance of their official duties.~~ The review team shall
28 include the following:

29 Sec. 83. Section 135.62, subsection 2, paragraph e, Code
30 2019, is amended by striking the paragraph.

31 Sec. 84. Section 147A.3, Code 2019, is amended to read as
32 follows:

33 **147A.3 Meetings of the council — quorum — expenses.**

34 Membership, terms of office, and quorum, ~~and expenses~~ shall
35 be determined by the director pursuant to chapter 135.

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1 Sec. 85. Section 256I.3, subsection 3, Code 2019, is amended
2 by striking the subsection.

3 ELIMINATION OF CHILD WELFARE ADVISORY COMMITTEE, CHILD
4 SUPPORT ADVISORY COMMITTEE, CHILDREN'S MENTAL HEALTH WAIVER
5 IMPLEMENTATION COMMITTEE, AND PROPERTY TAX RELIEF FUND RISK
6 POOL

7 Sec. 86. Section 217.3A, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. *General.* The council on human services shall establish
10 and utilize the advisory ~~committees~~ committee identified in
11 this section and may establish and utilize other advisory
12 committees. The council shall establish appointment
13 provisions, membership terms, operating guidelines, and other
14 operational requirements for committees established pursuant to
15 this section.

16 Sec. 87. Section 217.3A, subsections 3 and 4, Code 2019, are
17 amended by striking the subsections.

18 Sec. 88. Section 426B.5, subsection 1, Code 2019, is amended
19 by striking the subsection.

20 Sec. 89. 2005 Iowa Acts, chapter 117, section 4, subsection
21 3, is amended by striking the subsection.

22 DIVISION XVIII

23 MEDICAL ASSISTANCE ADVISORY COUNCIL

24 Sec. 90. Section 217.3, subsection 4, Code 2019, is amended
25 to read as follows:

26 4. Approve the budget of the department of human services
27 prior to submission to the governor. Prior to approval of the
28 budget, the council shall publicize and hold a public hearing
29 to provide explanations and hear questions, opinions, and
30 suggestions regarding the budget. Invitations to the hearing
31 shall be extended to the governor, the governor-elect, the
32 director of the department of management, and other persons
33 deemed by the council as integral to the budget process. The
34 budget materials submitted to the governor shall include a
35 review of options for revising the medical assistance program

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1 made available by federal action or by actions implemented
2 by other states as identified by the department, the medical
3 assistance advisory council ~~and the executive committee of the~~
4 ~~medical assistance advisory council~~ created in section 249A.4B,
5 and by county representatives. The review shall address what
6 potential revisions could be made in this state and how the
7 changes would be beneficial to Iowans.

8 Sec. 91. Section 249A.4B, Code 2019, is amended to read as
9 follows:

10 **249A.4B Medical assistance advisory council.**

11 1. A medical assistance advisory council is created to
12 comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of

13 the federal Social Security Act and to advise the director
 14 about health and medical care services under the medical
 15 assistance program. The council shall meet no more than
 16 quarterly. The director of public health and a public member
 17 of the council selected by the public members of the council
 18 ~~specified in subsection 2, paragraph “b”~~, shall serve as
 19 co-chairpersons of the council.

20 2. a. The council shall consist of the following voting
 21 members:

22 (1) Five professional or business entity members selected
 23 by the entities specified pursuant to subsection 3, paragraph
 24 “a”.

25 (2) Five public members appointed pursuant to subsection 3,
 26 paragraph “b”. Of the five public members, at least one member
 27 shall be a recipient of medical assistance.

28 b. The council shall include all of the following nonvoting
 29 members:

30 (1) The director of public health, or the director’s
 31 designee.

32 (2) The director of the department on aging, or the
 33 director’s designee.

34 (3) The long-term care ombudsman, or the long-term care
 35 ombudsman’s designee.

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1 (4) The dean of Des Moines university — osteopathic medical
 2 center, or the dean’s designee.

3 (5) The dean of the university of Iowa college of medicine,
 4 or the dean’s designee.

5 (6) A member of the hawk-i board created in section 514I.5,
 6 selected by the members of the hawk-i board.

7 (7) The following members of the general assembly, each for
 8 a term of two years as provided in section 69.16B:

9 (a) Two members of the house of representatives, one
 10 appointed by the speaker of the house of representatives
 11 and one appointed by the minority leader of the house of
 12 representatives from their respective parties.

13 (b) Two members of the senate, one appointed by the
 14 president of the senate after consultation with the majority
 15 leader of the senate and one appointed by the minority leader
 16 of the senate.

17 ~~2. 3.~~ The voting membership of the council shall include
 18 all of the following voting members be selected or appointed
 19 as follows:

20 a. The five professional or business entity members shall
 21 be selected by the entities specified under this paragraph “a”.
 22 The five professional or business entity members selected shall
 23 be the president, or the president’s representative, of each
 24 of the following professional or business entities entity, or
 25 a member of each of the following professional or business
 26 entities, selected entity, designated by the entity;.

- 27 (1) The Iowa medical society.
- 28 (2) The Iowa osteopathic medical association.
- 29 (3) The Iowa academy of family physicians.
- 30 (4) The Iowa chapter of the American academy of pediatrics.
- 31 (5) The Iowa physical therapy association.
- 32 (6) The Iowa dental association.
- 33 (7) The Iowa nurses association.
- 34 (8) The Iowa pharmacy association.
- 35 (9) The Iowa podiatric medical society.

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- 1 (10) The Iowa optometric association.
- 2 (11) The Iowa association of community providers.
- 3 (12) The Iowa psychological association.
- 4 (13) The Iowa psychiatric society.
- 5 (14) The Iowa chapter of the national association of social
- 6 workers.
- 7 (15) The coalition for family and children's services in
- 8 Iowa.
- 9 (16) The Iowa hospital association.
- 10 (17) The Iowa association of rural health clinics.
- 11 (18) The Iowa primary care association.
- 12 (19) Free clinics of Iowa.
- 13 (20) The opticians' association of Iowa, inc.
- 14 (21) The Iowa association of hearing health professionals.
- 15 (22) The Iowa speech and hearing association.
- 16 (23) The Iowa health care association.
- 17 (24) The Iowa association of area agencies on aging.
- 18 (25) AARP.
- 19 (26) The Iowa caregivers association.
- 20 (27) Leading age Iowa.
- 21 (28) The Iowa association for home care.
- 22 (29) The Iowa council of health care centers.
- 23 (30) The Iowa physician assistant society.
- 24 (31) The Iowa association of nurse practitioners.
- 25 (32) The Iowa nurse practitioner society.
- 26 (33) The Iowa occupational therapy association.
- 27 (34) The ARC of Iowa, formerly known as the association for
- 28 retarded citizens of Iowa.
- 29 (35) The national alliance on mental illness.
- 30 (36) The Iowa state association of counties.
- 31 (37) The Iowa developmental disabilities council.
- 32 (38) The Iowa chiropractic society.
- 33 (39) The Iowa academy of nutrition and dietetics.
- 34 (40) The Iowa behavioral health association.
- 35 (41) The midwest association for medical equipment services

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- 1 or an affiliated Iowa organization.
- 2 ~~b. Ten~~ The five public members shall be public
3 representatives which may include members of consumer groups,
4 including recipients of medical assistance or their families,
5 consumer organizations, and others, appointed by the governor
6 for staggered terms of two years each, none of whom shall be
7 members of, or practitioners of, or have a pecuniary interest
8 in any of the professional or business entities specifically
9 represented under paragraph "a", ~~and a majority of whom shall be~~
10 ~~current or former recipients of medical assistance or members~~
11 ~~of the families of current or former recipients.~~
- 12 ~~c. A member of the hawk i board created in section 514I.5,~~
13 ~~selected by the members of the hawk i board.~~
- 14 3. ~~The council shall include all of the following nonvoting~~
15 ~~members:~~
- 16 ~~a. The director of public health, or the director's~~
17 ~~designee.~~
- 18 ~~b. The director of the department on aging, or the~~
19 ~~director's designee.~~
- 20 ~~c. The long term care ombudsman, or the long term care~~
21 ~~ombudsman's designee.~~
- 22 ~~d. The dean of Des Moines university — osteopathic medical~~
23 ~~center, or the dean's designee.~~
- 24 ~~e. The dean of the university of Iowa college of medicine,~~
25 ~~or the dean's designee.~~
- 26 ~~f. The following members of the general assembly, each for a~~
27 ~~term of two years as provided in section 69.16B:~~
- 28 (1) ~~Two members of the house of representatives, one~~
29 ~~appointed by the speaker of the house of representatives~~
30 ~~and one appointed by the minority leader of the house of~~
31 ~~representatives from their respective parties.~~
- 32 (2) ~~Two members of the senate, one appointed by the~~
33 ~~president of the senate after consultation with the majority~~
34 ~~leader of the senate and one appointed by the minority leader~~
35 ~~of the senate.~~

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- 1 4.a. ~~An executive committee of the council is created and~~
2 ~~shall consist of the following members of the council:~~
- 3 (1) ~~Five of the professional or business entity members~~
4 ~~designated pursuant to subsection 2, paragraph "a", and~~
5 ~~selected by the members specified under that paragraph, as~~
6 ~~voting members.~~
- 7 (2) ~~Five of the public members appointed pursuant to~~
8 ~~subsection 2, paragraph "b", and selected by the members~~
9 ~~specified under that paragraph, as voting members. Of the five~~
10 ~~public members, at least one member shall be a recipient of~~
11 ~~medical assistance.~~
- 12 (3) ~~The director of public health, or the director's~~

13 ~~designee, as a nonvoting member.~~
14 ~~5. The executive committee shall meet on a monthly basis.~~
15 ~~The director of public health and the public member serving as~~
16 ~~co chairperson of the council shall serve as co chairpersons of~~
17 ~~the executive committee.~~
18 ~~e. 4. Based upon the deliberations of the council and the~~
19 ~~executive committee, the executive committee council shall make~~
20 ~~recommendations to the director regarding the budget, policy,~~
21 ~~and administration of the medical assistance program.~~
22 5. For each council meeting, other than those held during
23 the time the general assembly is in session, each legislative
24 member of the council shall be reimbursed for actual travel
25 and other necessary expenses and shall receive a per diem as
26 specified in section 7E.6 for each day in attendance, as shall
27 the members of the council ~~or the executive committee~~ who are
28 recipients or the family members of recipients of medical
29 assistance, regardless of whether the general assembly is in
30 session.
31 6. The department shall provide staff support and
32 independent technical assistance to the council ~~and the~~
33 ~~executive committee.~~
34 7. The director shall consider the recommendations offered
35 by the council ~~and the executive committee~~ in the director's

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1 preparation of medical assistance budget recommendations to
2 the council on human services pursuant to section 217.3 and in
3 implementation of medical assistance program policies.
4 DIVISION XIX
5 MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY ADMITTED FOR
6 PERMANENT RESIDENCE
7 Sec. 92. MEDICAID COVERAGE — PREGNANT WOMEN LAWFULLY
8 ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES WITHOUT
9 APPLICATION OF FIVE-YEAR WAITING PERIOD.
10 1. The department of human services shall seek a waiver from
11 the centers for Medicare and Medicaid services of the United
12 States department of health and human services to provide
13 coverage under the Medicaid program for pregnant women lawfully
14 admitted for permanent residence in the United States, without
15 application of the five-year waiting period.
16 2. If federal approval is received by the department, the
17 department shall provide Medicaid coverage for pregnant women
18 lawfully admitted for permanent residence in the United States,
19 without application of the five-year waiting period, effective
20 the first day of the month following the department's receipt
21 of federal approval.
22 DIVISION XX
23 PROVISION OF CERTAIN SURGERIES OR PROCEDURES — EXEMPTION FROM
24 REQUIRED ACCOMMODATIONS OR SERVICES
25 Sec. 93. Section 216.7, Code 2019, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 3. This section shall not require any
 28 state or local government unit or tax-supported district to
 29 provide for sex reassignment surgery or any other cosmetic,
 30 reconstructive, or plastic surgery procedure related to
 31 transsexualism, hermaphroditism, gender identity disorder, or
 32 body dysmorphic disorder.

33 Sec. 94. EFFECTIVE DATE. This division of this Act, being
 34 deemed of immediate importance, takes effect upon enactment.

35 DIVISION XXI

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1 REVISION OF MEDICAID MANAGED CARE CONTRACTS — LIQUIDATED
 2 DAMAGES

3 Sec. 95. REVISION OF MEDICAID MANAGED CARE CONTRACTS —
 4 LIQUIDATED DAMAGES. The department shall revise the Medicaid
 5 managed care contracts to include all of the following
 6 provisions:

7 1. The assessment of liquidated damages for prior
 8 authorization and claims payment system issues that were
 9 reported by the managed care organization to the department
 10 as corrected, but reoccurred within 60 days of the reported
 11 correction.

12 2. The assessment of liquidated damages for the failure of
 13 a managed care organization to complete provider credentialing
 14 or to accurately load provider rosters as required in the
 15 contract.

16 DIVISION XXII

17 HEALTH DATA COLLECTION AND USE

18 Sec. 96. Section 135.166, subsection 1, Code 2019, is
 19 amended to read as follows:

20 1.a. The department of public health shall enter into
 21 a memorandum of understanding ~~to utilize the Iowa hospital~~
 22 ~~association with the contractor selected through a request for~~
 23 ~~proposals process~~ to act as the department's intermediary in
 24 collecting, maintaining, and disseminating hospital inpatient,
 25 outpatient, and ambulatory data, as initially authorized in
 26 1996 Iowa Acts, ch. 1212, §5, subsection 1, paragraph "a",
 27 subparagraph (4), and 641 IAC 177.3.

28 b. The memorandum of understanding shall include but is not
 29 limited to provisions that address the duties of the department
 30 and the ~~Iowa hospital association contractor~~ regarding the
 31 collection, reporting, disclosure, storage, and confidentiality
 32 of the data.

33 Sec. 97. REQUEST FOR PROPOSALS PROCESS — TRANSITION. The
 34 department of public health shall continue the memorandum of
 35 understanding with the entity acting as intermediary on June

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1 30, 2019, pursuant to section 135.166, until the contractor
2 selected through a request for proposals process assumes the
3 duties of intermediary on January 1, 2021, as specified under
4 this division of this Act.

5 DIVISION XXIII

6 DISTRIBUTION OF FEDERAL FUNDS — RESTRICTIONS — ABORTION
7 Sec. 98. DISTRIBUTION OF FEDERAL PUBLIC HEALTH SERVICES ACT
8 FUNDS FOR FAMILY PLANNING.

9 1. The department of public health shall annually apply
10 to the United States department of health and human services
11 for grant funding under Tit. X of the federal Public Health
12 Services Act, 42 U.S.C. §300 et seq. The department shall
13 distribute all grant funding received to applicants in the
14 following order of priority:

15 a. Public entities that provide family planning services
16 including state, county, or local community health clinics,
17 federally qualified health centers, and community action
18 organizations.

19 b. Nonpublic entities that, in addition to family planning
20 services, provide required primary health services as described
21 in 42 U.S.C. §254b(b)(1)(A).

22 c. Nonpublic entities that provide family planning
23 services but do not provide required primary health services as
24 described in 42 U.S.C. §254b(b)(1)(A).

25 2. Distribution of funds under this section shall be made in
26 a manner that continues access to family planning services.

27 3. a. (1) Distribution of funds under this section shall
28 not be made to any entity that performs abortions, promotes
29 abortions, maintains or operates a facility where abortions are
30 performed or promoted, contracts or subcontracts with an entity
31 that performs or promotes abortions, becomes or continues to be
32 an affiliate of any entity that performs or promotes abortions,
33 or regularly makes referrals to an entity that provides or
34 promotes abortions or maintains or operates a facility where
35 abortions are performed. However, the prohibition specified

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1 in this subparagraph (1) shall not be interpreted to include
2 a nonpublic entity that is a distinct location of a nonprofit
3 health care delivery system, if the distinct location provides
4 family planning services but does not perform abortions
5 or maintain or operate as a facility where abortions are
6 performed.

7 (2) The department of public health shall adopt rules
8 pursuant to chapter 17A to require that as a condition of
9 eligibility as an applicant under this section, each distinct
10 location of a nonprofit health care delivery system shall be
11 assigned a distinct provider identification number and complete
12 an attestation that abortions are not performed at the distinct

13 location.

14 b. For the purposes of this section, “nonprofit health
15 care delivery system” means an Iowa nonprofit corporation
16 that controls, directly or indirectly, a regional health
17 care network consisting of hospital facilities and various
18 ambulatory and clinic locations that provide a range of
19 primary, secondary, and tertiary inpatient, outpatient, and
20 physician services.

21 c. For the purposes of this section, “abortion” does not
22 include any of the following:

23 (1) The treatment of a woman for a physical disorder,
24 physical injury, or physical illness, including a
25 life-endangering physical condition caused by or arising from
26 the pregnancy itself, that would, as certified by a physician,
27 place the woman in danger of death.

28 (2) The treatment of a woman for a spontaneous abortion,
29 commonly known as a miscarriage, when not all of the products
30 of human conception are expelled.

31 4. Funds distributed in accordance with this section shall
32 not be used for direct or indirect costs, including but not
33 limited to administrative costs or expenses, overhead, employee
34 salaries, rent, and telephone and other utility costs, related
35 to providing or promoting abortions as specified in this

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1 section.

2 5. The department of public health shall submit a report to
3 the governor and the general assembly, annually by January 1,
4 listing any entities that received funds pursuant to subsection
5 1, paragraph “c”, and the amount and type of funds received by
6 such entities during the preceding calendar year. The report
7 shall provide a detailed explanation of how the department
8 determined that distribution of funds to such an entity,
9 instead of to an entity described in subsection 1, paragraph
10 “a” or “b”, was necessary to prevent severe limitation or
11 elimination of access to family planning services in the region
12 of the state where the entity is located.

13 Sec. 99. ADMINISTRATION OF PERSONAL RESPONSIBILITY
14 EDUCATION PROGRAM AND SEXUAL RISK AVOIDANCE EDUCATION GRANT
15 PROGRAM FUNDS.

16 1. Any contract entered into on or after July 1, 2019, by
17 the department of public health to administer the personal
18 responsibility education program as specified in 42 U.S.C.
19 §713 or to administer the sexual risk avoidance education
20 grant program authorized pursuant to section 510 of Tit.
21 V of the federal Social Security Act, 42 U.S.C. §710, as
22 amended by section 50502 of the federal Bipartisan Budget
23 Act of 2018, Pub. L. No. 115-123, and as further amended by
24 division S, Title VII, section 701 of the federal Consolidated
25 Appropriations Act of 2018, Pub. L. No. 115-141, shall exclude
26 as an eligible applicant, any applicant entity that performs

27 abortions, promotes abortions, maintains or operates a
28 facility where abortions are performed or promoted, contracts
29 or subcontracts with an entity that performs or promotes
30 abortions, becomes or continues to be an affiliate of any
31 entity that performs or promotes abortions, or regularly makes
32 referrals to an entity that provides or promotes abortions or
33 maintains or operates a facility where abortions are performed.
34 However, the prohibition specified in this section shall not be
35 interpreted to include a nonpublic entity that is a distinct

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1 location of a nonprofit health care delivery system, if the
2 distinct location provides personal responsibility education
3 program or sexual risk avoidance education grant program
4 services but does not perform abortions or maintain or operate
5 as a facility where abortions are performed.

6 2. The department of public health shall adopt rules
7 pursuant to chapter 17A to require that as a condition of
8 eligibility as an applicant, grantee, grantee contractor,
9 or grantee subcontractor under the personal responsibility
10 education program or sexual risk avoidance education grant
11 program, each distinct location of a nonprofit health care
12 delivery system shall be assigned a distinct identification
13 number and complete an attestation that abortions are not
14 performed at the distinct location.

15 3. For the purposes of this section, “nonprofit health
16 care delivery system” means an Iowa nonprofit corporation
17 that controls, directly or indirectly, a regional health
18 care network consisting of hospital facilities and various
19 ambulatory and clinic locations that provide a range of
20 primary, secondary, and tertiary inpatient, outpatient, and
21 physician services.

22 4. For the purposes of this section, “abortion” does not
23 include any of the following:

24 a. The treatment of a woman for a physical disorder,
25 physical injury, or physical illness, including a
26 life-endangering physical condition caused by or arising from
27 the pregnancy itself, that would, as certified by a physician,
28 place the woman in danger of death.

29 b. The treatment of a woman for a spontaneous abortion,
30 commonly known as a miscarriage, when not all of the products
31 of human conception are expelled.

32 Sec. 100. AWARD OF COMMUNITY ADOLESCENT PREGNANCY
33 PREVENTION AND SERVICES PROGRAM GRANT FUNDS.

34 1. Any contract entered into on or after July 1, 2019,
35 by the department of human services to award a community

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1 adolescent pregnancy prevention and services program grant
2 using federal temporary assistance for needy families block
3 grant funds appropriated to the department shall exclude
4 from eligibility any applicant, grantee, grantee contractor,
5 or grantee subcontractor that performs abortions, promotes
6 abortions, maintains or operates a facility where abortions are
7 performed or promoted, contracts or subcontracts with an entity
8 that performs or promotes abortions, becomes or continues to be
9 an affiliate of any entity that performs or promotes abortions,
10 or regularly makes referrals to an entity that provides or
11 promotes abortions or maintains or operates a facility where
12 abortions are performed.

13 2. The eligibility exclusion specified in subsection 1
14 shall not be interpreted to include a nonpublic entity that
15 is a distinct location of a nonprofit health care delivery
16 system, if the distinct location provides community adolescent
17 pregnancy prevention program services but does not perform
18 abortions or maintain or operate as a facility where abortions
19 are performed.

20 3. The department of human services shall adopt rules
21 pursuant to chapter 17A to require that as a condition of
22 eligibility as an applicant, grantee, grantee contractor,
23 or grantee subcontractor under the adolescent pregnancy
24 prevention and services program, each distinct location of
25 a nonprofit health care delivery system shall be assigned a
26 distinct identification number and complete an attestation that
27 abortions are not performed at the distinct location.

28 4. For the purposes of this section, “nonprofit health
29 care delivery system” means an Iowa nonprofit corporation
30 that controls, directly or indirectly, a regional health
31 care network consisting of hospital facilities and various
32 ambulatory and clinic locations that provide a range of
33 primary, secondary, and tertiary inpatient, outpatient, and
34 physician services.

35 5. For the purposes of this section, “abortion” does not

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1 include any of the following:

2 a. The treatment of a woman for a physical disorder,
3 physical injury, or physical illness, including a
4 life-endangering physical condition caused by or arising from
5 the pregnancy itself, that would, as certified by a physician,
6 place the woman in danger of death.

7 b. The treatment of a woman for a spontaneous abortion,
8 commonly known as a miscarriage, when not all of the products
9 of human conception are expelled.

10 Sec. 101. SEVERABILITY. If any provision of this division
11 of this Act or the application of this division of this Act to
12 any person or circumstances is held invalid, the invalidity

13 shall not affect other provisions or applications of this
14 division of this Act which can be given effect without the
15 invalid provisions or application and, to this end, the
16 provisions of this division of this Act are severable.

17 Sec. 102. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 DIVISION XXIV

20 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE
21 RATE ADD-ON PROGRAM

22 Sec. 103. Section 249L.2, subsections 7 and 8, Code 2019,
23 are amended to read as follows:

24 7. “Non-state government-owned nursing facility” means a
25 nursing facility that is owned or operated by a non-state
26 governmental entity and for which a non-state governmental
27 entity holds the nursing facility’s license and is party to the
28 nursing facility’s Medicaid contract.

29 8. “Nursing facility” means a licensed nursing facility as
30 defined in section 135C.1 that is a freestanding facility or
31 a nursing facility operated by a hospital licensed pursuant
32 to chapter 135B, but does not include a distinct-part skilled
33 nursing unit or a swing-bed unit operated by a hospital, or
34 a nursing facility owned by the state or federal government
35 or other governmental unit. “Nursing facility” includes a

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1 non-state government-owned nursing facility if the nursing
2 facility participates in the non-state government-owned nursing
3 facility ~~upper payment limit alternative payment~~ quality of
4 care rate add-on program.

5 Sec. 104. NON-STATE GOVERNMENT-OWNED NURSING FACILITY
6 QUALITY OF CARE RATE ADD-ON PROGRAM.

7 1. As used in this section, unless the context otherwise
8 requires:

9 a. “Department” means the department of human services.

10 b. “Intergovernmental transfer” means a transfer of
11 state share funds from a non-state governmental entity to the
12 department of human services.

13 c. “Non-state governmental entity” or “NSGE” means a
14 hospital authority, hospital district, health care district,
15 city, or county.

16 d. “Non-state government-owned nursing facility” or “NSGO
17 nursing facility” means a nursing facility that is owned or
18 operated by a non-state governmental entity and for which a
19 non-state governmental entity holds the nursing facility’s
20 license and is party to the nursing facility’s Medicaid
21 contract.

22 e. “Program” means the non-state government-owned nursing
23 facility quality of care rate add-on program described in this
24 section.

25 f. “Quality of care rate add-on calculation period” means
26 the fiscal year for which quality of care rate add-on amounts

27 are calculated based on adjudicated claims for days of service
28 provided.
29 g. "Upper payment limit" means a reasonable estimate of
30 the amount that would be paid for the services furnished by a
31 facility under Medicare payment principles.
32 2. The department of human services shall submit to the
33 centers for Medicare and Medicaid services of the United States
34 department of health and human services (CMS), a Medicaid state
35 plan amendment to allow a qualifying NSGE to receive a quality

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1 of care rate add-on in accordance with the upper payment limit
2 requirements pursuant to 42 C.F.R. §447.272 and managed care
3 requirements pursuant to 42 C.F.R. §438.6.
4 3. The Medicaid state plan amendment submitted shall
5 provide for all of the following:
6 a. Purpose. The NSGO nursing facility quality of care rate
7 add-on shall be made to a qualified NSGE to promote, maintain,
8 and improve resident quality of care and health outcomes.
9 b. Non-state government-owned nursing facility
10 qualifications. An NSGO nursing facility shall qualify for
11 participation in the program if all of the following conditions
12 are met:
13 (1) The NSGE for the NSGO nursing facility has executed a
14 participation agreement with the department.
15 (2) The NSGE for the NSGO nursing facility has provided
16 proof that the entity holds the NSGO nursing facility's license
17 and has complete operational responsibility for the NSGO
18 nursing facility.
19 (3) The NSGE for the NSGO nursing facility has filed a
20 certification of eligibility application for the quality of
21 care rate add-on program with the department and has received
22 approval from the department for participation in the program.
23 (4) The NSGO nursing facility is an active participant
24 in established Medicaid managed care value-based purchasing
25 programs and initiatives in the state.
26 (5) The NSGO nursing facility and the NSGE for the
27 NSGO nursing facility are in compliance with care criteria
28 requirements.
29 c. NSGE participation requirements. An NSGE shall qualify
30 for participation in the program if all of the following
31 conditions are met:
32 (1) The NSGE has executed a nursing facility provider
33 contract with an NSGO nursing facility.
34 (2) The NSGE has provided, and identified the source of,
35 state share dollars for the intergovernmental transfer.

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1 (3) The NSGE has provided proof of ownership, if applicable,
2 as the licensed operator of the NSGO nursing facility.

3 (4) The NSGE has provided, to the department, an executed
4 management agreement between the NSGE and the NSGO nursing
5 facility manager.

6 d. Care criteria requirements. A participating NSGO
7 nursing facility shall comply with all of the following care
8 criteria quality metrics, shall adhere to all of the following
9 performance measures to improve the quality of care delivered
10 to residents and to improve efficiency and care avoidance costs
11 for the overall Medicaid program, and shall do all of the
12 following:

13 (1) Develop a written action plan that includes
14 satisfaction survey results, an analysis of the satisfaction
15 survey results with identification of areas in need of
16 improvement, and a process for addressing areas in need of
17 improvement.

18 (2) Develop and implement, within six months of
19 commencement of participation in the program, a written plan
20 for the mitigation of unnecessary inpatient admissions within
21 30 days of a nursing facility discharge. The written plan
22 shall include or address all of the following:

23 (a) The inpatient admission management tool which
24 identifies those residents at high risk for the potential
25 return to acute care.

26 (b) The tools to support effective communications.

27 (c) Advance directive planning and implementation.

28 (d) Application of a quality assurance and program
29 integrity methodology to provide a root cause analysis and
30 identify teaching needs.

31 (3) Develop and implement a written plan providing for a
32 proactive pneumonia and influenza vaccination program which
33 shall improve vaccination scores above the national average,
34 as measured using CMS quality metrics. The written plan shall
35 include all of the following:

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1 (a) The latest available three-quarter average of both the
2 CMS measure for the percent of long-stay residents assessed and
3 appropriately given the seasonal influenza vaccine and of the
4 CMS measure for the percentage of long-stay residents assessed
5 and appropriately given the pneumococcal vaccine, to establish
6 a baseline.

7 (b) The current measure code score for the CMS measures
8 described in subparagraph division (a).

9 (c) A written plan for an influenza and pneumonia
10 vaccination program to address new admissions and current
11 residents.

12 (4) Elevate healthy aging in the state by implementing

13 a plan that accomplishes at least one of the following
14 strategies:
15 (a) Prevention and reduction of falls.
16 (b) Improved nutrition.
17 (c) Increased physical activity.
18 (d) Reduction in the incidence of depression.
19 (5) Demonstrate improvement above the facility-specific
20 baseline in the CMS five-star quality measures composite
21 scoring. Metrics shall be determined based upon the CMS
22 nursing home compare composite score over the preceding
23 twelve-month period.
24 (a) A participating NSGO nursing facility shall provide the
25 most recent three-quarter average of the CMS quality measure
26 star rating to establish a baseline.
27 (b) A participating NSGO nursing facility shall have a star
28 rating of three or better or must demonstrate improvement over
29 the previous quarter with no two quarters below three stars to
30 participate in the program.
31 (c) A participating NSGO nursing facility with a quality
32 measure star rating of three or better for the most recent
33 quarter or that demonstrates improvement in composite scoring
34 with no two quarters consistently below a three-star rating,
35 shall be deemed to have met the care criteria.

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1 e. Quality of care rate add-on.
2 (1) The nursing facility quality of care rate add-on
3 provided to a participating NSGE under the program shall not
4 exceed Medicare payment principles pursuant to 42 C.F.R.
5 §447.272 and shall be calculated pursuant to 42 C.F.R. §438.6.
6 The quality of care rate add-on shall be calculated and paid
7 as follows:
8 (a) The methodology utilized to calculate the upper
9 payment limit shall be based on the data available during the
10 calculation period.
11 (b) The eligible amount used in determining the quality
12 of care rate add-on shall be the difference between the state
13 Medicaid payment and the Medicare upper payment limit as
14 determined, based on compliance with the care criteria metrics,
15 on an annual basis.
16 (c) The difference calculated under subparagraph division
17 (b) shall be divided by total patient days as determined under
18 subparagraph division (b).
19 (d) The quality of care rate add-on shall be paid
20 prospectively.
21 (2) The amount of the quality of care rate add-on shall
22 be associated with improvement in care of Medicaid nursing
23 facility residents in the state as demonstrated through the
24 specified care criteria. A participating NSGE shall receive
25 payment under the program based on earned percentages related
26 to the care criteria. A participating NSGE shall meet or

27 exceed at least two of the five established care criteria
28 metrics to be eligible for the rate add-on payment for each
29 quarter. After at least two of the five metrics have been met,
30 the participating NSGE shall be eligible for seventy percent
31 of the total eligible quality of care rate add-on amount for a
32 participating NSGO nursing facility. The participating NSGE
33 may qualify for the remaining thirty percent of the total
34 eligible quality of care rate add-on amount, by attribution
35 in ten percent increments, for each additional care criterion

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1 that is met up to the full one hundred percent of the eligible
2 quality of care rate add-on amount.
3 f. Change of ownership.
4 (1) A participating NSGO nursing facility shall notify
5 the department of any change of ownership that may affect the
6 participating NSGO nursing facility's continued eligibility for
7 the program, within thirty days after such change.
8 (2) If a participating NSGO nursing facility changes
9 ownership on or after the first day of the quality of care
10 rate add-on calculation period, the data used for calculations
11 shall include data from the participating NSGO nursing facility
12 for the entire quality of care rate add-on calculation period
13 relating to payments for days of service provided under the
14 prior owner, prorated to reflect only the number of calendar
15 days during the calculation period that the participating NSGO
16 nursing facility is owned by the new owner.
17 g. Payment to participating NSGO nursing facilities. A
18 participating NSGO nursing facility shall secure allowable
19 intergovernmental transfer funds from a participating NSGE
20 to provide the state share amount. The process for the
21 intergovernmental transfer shall comply with the following:
22 (1) The department, or the department's designee, shall
23 notify the participating NSGE of the state share amount to be
24 transferred in the form of an intergovernmental transfer for
25 purposes of seeking federal financial participation for the
26 rate add-on payment, within twenty-five business days after
27 the end of a quarter. The amount shall reflect the percentage
28 of metrics achieved under the care criteria requirement. The
29 participating NSGE shall have five business days from the
30 date of receipt of the departmental notification to sign the
31 participation agreement and remit payment of the state share
32 amount in the form of an intergovernmental transfer to the
33 department or the department's designee.
34 (2) If the total intergovernmental transfer amount is
35 received by the department or the department's designee within

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1 the five business days as specified, the quality of care rate
2 add-on shall be included in the current quarter per diem rate
3 calculation for the participating NSGO nursing facility.
4 h. Penalties and adjustments. Failure by a participating
5 NSGE to remit the full intergovernmental transfer amount or
6 the correct amount as indicated by the department or the
7 department's designee within the following defined time frames
8 indicates the participating NSGE has voluntarily elected to
9 withdraw from program participation for that current quarter
10 and must reapply for participation in the program in any
11 subsequent quarter. All of the following shall apply when
12 determining the application of penalties and adjustments:
13 (1) The total amount of the intergovernmental transfer
14 must be received from the participating NSGE by the department
15 or the department's designee within five business days from
16 receipt by the participating NSGE of notification from the
17 department or the department's designee of the state share
18 amount.
19 (a) Receipt of the total intergovernmental transfer amount
20 by the department or the department's designee within five
21 business days is not subject to penalty.
22 (b) The date of receipt of notification of the state
23 share amount by the participating NSGE from the department or
24 the department's designee is the official reference date in
25 measuring the commencement of the five business days.
26 (2) Any intergovernmental transfer amount received by
27 the department or the department's designee after the fifth
28 business day as specified, but with a date stamp or mailing
29 postal mark indicating a date on or prior to five business
30 days from the date of notification by the department or the
31 department's designee of the state share amount, shall not be
32 subject to penalty.
33 (3)(a) Any intergovernmental transfer amount received by
34 the department or the department's designee after the fifth
35 business day as specified, but with a date stamp or postal mark

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1 indicating a date after five business days but not exceeding
2 eight business days from the date of notification by the
3 department or the department's designee of the state share
4 amount, shall be deemed late and the participating NSGE shall
5 receive the quality of care rate add-on, including an assessed
6 penalty of five percent, based on the total intergovernmental
7 transfer payments received during the late period. The five
8 percent penalty shall be applied to the quality of care rate
9 add-on for the quarter in which the intergovernmental transfer
10 amount is late.
11 (b) The department shall notify the participating NSGE of
12 the assessed penalty in writing. If the participating NSGE

13 fails to pay the department or the department's designee the
14 assessed penalty within the time frame noted on the written
15 notice to the participating NSGE, the assessed penalty shall be
16 deducted in accordance with the state Medicaid fee-for-service
17 recoupment process. The penalty shall be paid regardless
18 of any appeal requested by the participating NSGE. If an
19 appeal results in a decision to disallow a portion of or the
20 entire assessed penalty, reimbursement to the participating
21 NSGE shall be made as part of future Medicaid payments to the
22 participating NSGO nursing facility.

23 (4) If a participating NSGO nursing facility fails to
24 achieve, at a minimum, two of the required care criteria
25 metrics for two consecutive quarters, the participating NSGO
26 nursing facility shall be suspended from participation in the
27 program for two subsequent quarters. An NSGO nursing facility
28 that has been suspended for a total of four quarters within a
29 two-year period due to noncompliance with the required care
30 criteria shall be terminated from the program, and shall be
31 required to reapply for approval to participate at a subsequent
32 time. Readmittance into the program is at the sole discretion
33 of the department, taking into consideration input from
34 stakeholders. If the NSGO nursing facility is subsequently
35 readmitted to the program, terms of participation may include a

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1 probationary period with defined requirements related to care.
2 4. The quality of care rate add-on shall only be implemented
3 upon receipt by the department of approval of the Medicaid
4 state plan amendment by CMS, and if such approval is received,
5 the rate add-on is applicable no earlier than the first day
6 of the calendar quarter following the date of receipt of such
7 approval.
8 Sec. 105. REPEAL. 2016 Iowa Acts, chapter 1139, sections
9 80, 81, 82, 83, and 84, are repealed.
10 Sec. 106. REPEAL. 2017 Iowa Acts, chapter 174, sections
11 113, 114, 115, and 116, are repealed.
12 Sec. 107. EFFECTIVE UPON ENACTMENT. This division of this
13 Act, being deemed of immediate importance, takes effect upon
14 enactment.
15 Sec. 108. IMPLEMENTATION PROVISIONS.
16 1. The section of this division of this Act directing the
17 department of human services to submit a Medicaid state plan
18 amendment to CMS shall be implemented as soon as possible
19 following enactment, consistent with all applicable federal
20 requirements.
21 2. The section of this division of this Act amending
22 section 249L.2, shall only be implemented upon receipt by
23 the department of human services of approval of the Medicaid
24 state plan amendment by CMS, and if such approval is received,
25 is applicable no earlier than the first day of the calendar
26 quarter following the date of receipt of such approval.

27 DIVISION XXV
28 PREPARATION FOR ADULT LIVING PROGRAM
29 Sec. 109. Section 234.46, subsection 1, paragraph b, Code
30 2019, is amended to read as follows:
31 b. The person is age eighteen, nineteen, ~~or~~ twenty,
32 twenty-one, or twenty-two.
33 DIVISION XXVI
34 CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD
35 Sec. 110. Section 225C.51, if enacted by 2019 Iowa Acts,

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1 House File 690, section 8, is amended to read as follows:
2 SEC. 8. NEW SECTION. 225C.51 Children's behavioral health
3 system state board.
4 1. A children's behavioral health system state board
5 is created as the state body to provide guidance on the
6 implementation and management of a children's behavioral health
7 system for the provision of services to children with a serious
8 emotional disturbance. ~~The state board's public voting members~~
9 ~~shall be appointed to four year staggered terms by the governor~~
10 ~~and are subject to confirmation by the senate. All other~~
11 ~~state board voting members shall be appointed to four year~~
12 ~~staggered terms and are not subject to confirmation by the~~
13 ~~senate.~~ State board members shall be appointed on the basis of
14 interest and experience in the fields of children's behavioral
15 health to ensure adequate representation from persons with life
16 experiences and from persons knowledgeable about children's
17 behavioral health services. The department shall provide
18 support to the state board, and the board may utilize staff
19 support and other assistance provided to the state board by
20 other persons. The state board shall meet at least four times
21 per year. The membership of the state board shall consist of
22 the following persons ~~who, at the time of appointment to the~~
23 ~~state board, are active members of the indicated groups:~~
24 a. The director of the department of human services or the
25 director's designee.
26 b. The director of the department of education or the
27 director's designee.
28 c. The director of the department of public health or the
29 director's designee.
30 d. The director of workforce development or the director's
31 designee.
32 e. A member of the mental health and disability services
33 commission.
34 ~~e.~~ f. Members appointed by the governor who are active
35 members of each of the indicated groups:

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1 (1) One member shall be selected from nominees submitted by
2 the state court administrator.
3 ~~f.~~ (2) One member shall be selected from nominees submitted
4 by the early childhood Iowa office in the department of
5 management.
6 ~~g. One member shall be a member of the mental health and~~
7 ~~disability services commission.~~
8 ~~h.~~ (3) One member shall be a board member or an employee of
9 a provider of mental health services to children.
10 ~~i.~~ (4) One member shall be a board member or an employee of
11 a provider of child welfare services.
12 ~~j.~~ (5) One member shall be an administrator of an area
13 education agency.
14 ~~k.~~ (6) One member shall be an educator, counselor, or
15 administrator of a school district.
16 ~~l.~~ (7) One member shall be a representative of an
17 established advocacy organization whose mission or purpose it
18 is, in part, to further goals related to children's mental
19 health.
20 ~~m.~~ (8) One member shall be a parent or guardian of a child
21 currently utilizing or who has utilized behavioral health
22 services.
23 ~~n.~~ (9) One member shall be a sheriff.
24 ~~o.~~ (10) One member shall be a pediatrician.
25 ~~p.~~ (11) One member shall be a representative from a health
26 care system.
27 ~~q.~~ (12) One member shall be a chief executive officer of a
28 mental health and disability services region.
29 ~~r.~~ f. In addition to the voting members, the membership
30 shall include four members of the general assembly with one
31 member designated by each of the following: the majority
32 leader of the senate, the minority leader of the senate, the
33 speaker of the house of representatives, and the minority
34 leader of the house of representatives. A legislative member
35 serves for a term as provided in section 69.16B in a nonvoting,

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1 ex officio capacity and is not eligible for per diem and
2 expenses as provided in section 2.10.
3 2. Members appointed by the governor shall serve four-year
4 staggered terms and are subject to confirmation by the senate.
5 The four-year terms shall begin and end as provided in section
6 69.19. Vacancies on the state board shall be filled as
7 provided in section 2.32. A member shall not be appointed for
8 more than two consecutive four-year terms.
9 3. The director of the department of human services and the
10 director of the department of education, or their designees,
11 shall serve as co-chairpersons of the state board. Board
12 members shall not be entitled to a per diem as specified in

13 section 7E.6 and shall not be entitled to actual and necessary
14 expenses incurred while engaged in their official duties.

15 DIVISION XXVII

16 PRIOR YEAR CARRYFORWARD PROVISIONS

17 FAMILY INVESTMENT PROGRAM GENERAL FUND ACCOUNT

18 Sec. 111. 2017 Iowa Acts, chapter 174, section 47, is

19 amended by adding the following new subsection:

20 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
21 appropriated in this section that remain unencumbered or
22 unobligated at the close of the fiscal year shall not revert
23 but shall remain available for expenditure for the purposes
24 designated, and may be transferred to the appropriations made
25 in this division of this Act for general administration and
26 field operations for technology needs including the eligibility
27 integrated applications solutions (ELIAS) project, or may be
28 transferred to the appropriations made in this division of this
29 Act for the juvenile institution, the mental health institutes,
30 or the state resource centers, to be used for the purposes of
31 those appropriations, until the close of the succeeding fiscal
32 year.

33 STATE RESOURCE CENTERS

34 Sec. 112. 2017 Iowa Acts, chapter 174, section 63, is

35 amended by adding the following new subsection:

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1 NEW SUBSECTION. 6. Notwithstanding section 8.33, and
2 notwithstanding the amount limitation specified in section
3 222.92, moneys appropriated in this section that remain
4 unencumbered or unobligated at the close of the fiscal year
5 shall not revert but shall remain available for expenditure
6 for the purposes designated, including year-end purchases and
7 technology needs, and may be transferred to the appropriations
8 made in this division of this Act for the juvenile institution
9 or the mental health institutes, to be used for the purposes of
10 those appropriations, until the close of the succeeding fiscal
11 year.

12 FIELD OPERATIONS

13 Sec. 113. 2017 Iowa Acts, chapter 174, section 65, as

14 amended by 2018 Iowa Acts, chapter 1165, section 35, is amended
15 to read as follows:

16 SEC. 65. FIELD OPERATIONS. There is appropriated from the
17 general fund of the state to the department of human services
18 for the fiscal year beginning July 1, 2018, and ending June 30,
19 2019, the following amount, or so much thereof as is necessary,
20 to be used for the purposes designated:

21 For field operations, including salaries, support,
22 maintenance, and miscellaneous purposes, and for not more than
23 the following full-time equivalent positions:

| | | |
|----|---|------------|
| 24 | \$ | 49,074,517 |
| 25 | FTEs | 1,539.00 |
| 26 | Priority in filling full-time equivalent positions shall be | |

27 given to those positions related to child protection services
 28 and eligibility determination for low-income families.
 29 Notwithstanding section 8.33, moneys appropriated in
 30 this section that remain unencumbered or unobligated at the
 31 close of the fiscal year shall not revert but shall remain
 32 available for expenditure for the purposes designated,
 33 including for technology needs, personal computer replacements,
 34 and accelerated hiring, and may be transferred to the
 35 appropriations made in this division of this Act for the

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1 juvenile institution, the mental health institutes, or the
 2 state resource centers, to be used for the purposes of those
 3 appropriations, until the close of the succeeding fiscal year.

4 GENERAL ADMINISTRATION

5 Sec. 114. 2017 Iowa Acts, chapter 174, section 66, as
 6 amended by 2018 Iowa Acts, chapter 1165, section 36, is amended
 7 to read as follows:

8 SEC. 66. GENERAL ADMINISTRATION.

9 1. There is appropriated from the general fund of the
 10 state to the department of human services for the fiscal year
 11 beginning July 1, 2018, and ending June 30, 2019, the following
 12 amount, or so much thereof as is necessary, to be used for the
 13 purpose designated:

14 For general administration, including salaries, support,
 15 maintenance, and miscellaneous purposes, and for not more than
 16 the following full-time equivalent positions:

| | | |
|----------|------|------------|
| 17 | \$ | 13,833,040 |
| 18 | FTEs | 294.00 |

19 2. Of the funds appropriated in this section, \$150,000 shall
 20 be used to continue the contract for the provision of a program
 21 to provide technical assistance, support, and consultation to
 22 providers of habilitation services and home and community-based
 23 services waiver services for adults with disabilities under the
 24 medical assistance program.

25 3. Of the funds appropriated in this section, \$50,000
 26 is transferred to the Iowa finance authority to be used
 27 for administrative support of the council on homelessness
 28 established in section 16.2D and for the council to fulfill its
 29 duties in addressing and reducing homelessness in the state.

30 4. Of the funds appropriated in this section, \$200,000 shall
 31 be transferred to and deposited in the administrative fund of
 32 the Iowa ABLE savings plan trust created in section 12I.4, to
 33 be used for implementation and administration activities of the
 34 Iowa ABLE savings plan trust.

35 5. Of the funds appropriated in this section, \$200,000 is

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1 transferred to the economic development authority for the Iowa
2 commission on volunteer services to continue to be used for the
3 RefugeeRISE AmeriCorps program established under section 15H.8
4 for member recruitment and training to improve the economic
5 well-being and health of economically disadvantaged refugees in
6 local communities across Iowa. Funds transferred may be used
7 to supplement federal funds under federal regulations.

8 7. Of the funds appropriated in this section, \$300,000 shall
9 be used to contract for children's well-being collaboratives
10 grants for the development and implementation of children's
11 well-being collaboratives to establish and coordinate
12 prevention and early intervention services to promote improved
13 mental health and well-being for children and families, as
14 enacted in 2017 Iowa Acts, chapter 174, section 88.

15 8. The department of human services shall submit the
16 strategic plan to create and implement a children's mental
17 health system submitted to the governor by the children's
18 system state board established by Executive Order Number Two
19 issued April 23, 2018, to the general assembly by November 15,
20 2018.

21 9. Notwithstanding section 8.33, moneys appropriated in
22 this section that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated,
25 including for technology needs and the relocation of the
26 Iowa Medicaid enterprise, and may be transferred to the
27 appropriations made in this division of this Act for the
28 juvenile institution, the mental health institutes, or the
29 state resource centers, to be used for the purposes of those
30 appropriations, until the close of the succeeding fiscal year.

31 STATE SUPPLEMENTARY ASSISTANCE
32 Sec. 115. 2018 Iowa Acts, chapter 1165, section 53,
33 subsection 4, is amended to read as follows:

34 4. Notwithstanding section 8.33, moneys appropriated in
35 this section that remain unencumbered or unobligated at the

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1 close of the fiscal year shall not revert but shall remain
2 available for expenditure for the purposes designated,
3 including for technology needs, and may be transferred to the
4 appropriations made in this division of this Act for general
5 administration, field operations, the juvenile institution, the
6 mental health institutes, or the state resource centers, to be
7 used for the purposes of those appropriations, until the close
8 of the succeeding fiscal year.

9 Sec. 116. EFFECTIVE DATE. This division of this Act, being
10 deemed of immediate importance, takes effect upon enactment.

11 Sec. 117. RETROACTIVE APPLICABILITY. This division of this
12 Act applies retroactively to July 1, 2017.

DIVISION XXVIII

VACCINE AND IMMUNIZATION ADMINISTRATION — FUTURE REPEAL

Sec. 118. 2018 Iowa Acts, chapter 1142, section 8, is

amended to read as follows:

SEC. 8. FUTURE REPEAL. Section 155A.44, Code 2018, is

repealed effective July 1, ~~2019~~ 2020.

Sec. 119. EFFECTIVE DATE. This division of this Act, being

deemed of immediate importance, takes effect upon enactment.>>

RESOLUTIONS ADOPTED

EIGHTY-EIGHTH GENERAL ASSEMBLY 2019 REGULAR SESSION

SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution 5: filed February 6, 2019; adopted by the Senate on February 13, 2019; printed on Senate Journal page 295; adopted by the House on March 7, 2019; printed on House Journal page 438.

SENATE JOINT RESOLUTIONS

Senate Joint Resolution 17: filed February 20, 2019; adopted by the Senate on March 11, 2019; printed on Senate Journal page 542; adopted by the House on March 11, 2019; printed on House Journal page 496.

Senate Joint Resolution 18: filed February 21, 2019; adopted by the Senate on March 13, 2019; printed on Senate Journal page 613; adopted by the House on March 13, 2019; printed on House Journal page 548.

SENATE RESOLUTIONS

Senate Resolution 1: filed January 30, 2019; adopted by the Senate on January 31, 2019.

SENATE RESOLUTION 1 By Cournoyer and Danielson

- 1 A Resolution honoring the life of Lieutenant Eric M.
- 2 Hosette and in support of Adam Cain as he recovers
- 3 from his injuries.
- 4 WHEREAS, Eric M. Hosette's lifelong dream was to be
- 5 a fire fighter; and
- 6 WHEREAS, he realized that dream at the age of
- 7 eighteen when he served as a volunteer fire fighter
- 8 with the Camanche Fire Department; and
- 9 WHEREAS, Eric subsequently joined the Clinton Fire
- 10 Department in 2006, and was promoted to Lieutenant in
- 11 2017; and
- 12 WHEREAS, Eric also joined the Charlotte Fire

13 Department in 2013 as a volunteer fire fighter and
14 was appointed Chief of the department on January 1,
15 2019; and
16 WHEREAS, Eric served as a Fire Cause and Origin
17 Investigator, a Juvenile Fire Setter Program
18 supervisor, and on the Truck Committee for the Clinton
19 Fire Department; and
20 WHEREAS, Adam Cain joined the Goose Lake Fire
21 Department in 2011 as a junior fire fighter at the age
22 of sixteen, became a fire fighter for Goose Lake in
23 2013, and has been involved as a fire fighter there
24 ever since; and
25 WHEREAS, Adam has been a fire fighter with the
26 Clinton Fire Department since 2017; and
27 WHEREAS, on January 5, 2019, Eric M. Hosette made
28 the ultimate sacrifice while battling a fire in

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1 Clinton that resulted in an explosion that ended Eric's
2 life; and
3 WHEREAS, the explosion injured fellow fire fighter
4 Adam Cain, who had been recovering at the University of
5 Iowa Hospitals and Clinics, including a two-week stay
6 in the intensive care unit, before being discharged on
7 January 25, 2019; and
8 WHEREAS, fire fighting is a family profession
9 for both Eric and Adam; Eric's grandfather, Richard
10 Grimm, served in the Charlotte Fire Department for 50
11 years, including 30 years as Chief, and Adam's father,
12 Kevin Cain, is currently Chief of the Goose Lake Fire
13 Department and Adam's brother, Matt Cain, is also a
14 Clinton fire fighter; NOW THEREFORE,
15 BE IT RESOLVED BY THE SENATE, That the Senate
16 expresses its gratitude to Eric M. Hosette and Adam
17 Cain, their respective families, and the entire public
18 safety community for the bravery and courage they have
19 shown and the sacrifices they have made so that Iowans
20 may live a safer and more comfortable life in their
21 homes, businesses, and communities; and
22 BE IT FURTHER RESOLVED, That a copy of this
23 Resolution be sent to each fire department in which
24 Eric M. Hosette and Adam Cain have served and to their
25 respective families.

Senate Resolution 2: filed February 5, 2019; adopted as amended by the Senate on February 13, 2019.

SENATE RESOLUTION 2
By Committee on Ethics

1 A Resolution relating to the Senate Code of Ethics
2 governing the conduct of members of the Senate in
3 relation to their senatorial duties during the
4 Eighty-eighth General Assembly.
5 BE IT RESOLVED BY THE SENATE, That the Senate Code
6 of Ethics for the ~~Eighty-seventh~~ Eighty-eighth General
7 Assembly shall be amended to read as follows:
8 SENATE CODE OF ETHICS
9 PREAMBLE. Every legislator owes a duty to uphold
10 the integrity and honor of the general assembly, to
11 encourage respect for the law and for the general
12 assembly and the members thereof, and to observe the
13 legislative code of ethics.
14 In doing so, members of the senate have a duty to
15 conduct themselves so as to reflect credit on the
16 general assembly, and to inspire the confidence,
17 respect, and trust of the public, and to strive to
18 avoid both unethical and illegal conduct and the
19 appearance of unethical and illegal conduct.
20 Recognizing that service in the Iowa general
21 assembly is a part-time endeavor and that members of
22 the general assembly are honorable individuals who
23 are active in the affairs of their localities and
24 elsewhere and that it is necessary that they maintain
25 a livelihood and source of income apart from their

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1 legislative compensation, the following rules are
2 adopted pursuant to section 68B.31, to assist the
3 members in the conduct of their legislative affairs.
4 1. ECONOMIC INTEREST OF SENATOR. Taking into
5 account that legislative service is part-time, a
6 senator shall not accept economic or investment
7 opportunity, under circumstances where the senator
8 knows, or should know, that there is a reasonable
9 possibility that the opportunity is being afforded the
10 senator with intent to influence the senator's conduct
11 in the performance of official duties.
12 2. DIVESTITURE. Where a senator learns that
13 an economic or investment opportunity previously
14 accepted was offered with the intent of influencing
15 the senator's conduct in the performance of official
16 duties, the senator shall take steps to divest that
17 senator of that investment or economic opportunity, and

18 shall report the facts of the situation to the senate
19 ethics committee.

20 3. CHARGES FOR SERVICES. A senator shall not
21 charge to or accept from a person, corporation,
22 partnership, or association known to have a legislative
23 interest a price, fee, compensation, or other
24 consideration for the sale or lease of any property or
25 the furnishing of services which is in excess of that
26 which the senator would charge another.

27 4. USE OF CONFIDENTIAL INFORMATION. A senator in
28 order to further the senator's own economic or other
29 interests, or those of any other person, shall not
30 disclose or use confidential information acquired in

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1 the course of official duties.

2 5. HONORARIA. A senator shall not accept an
3 honorarium from a restricted donor for a speech,
4 writing for publication, or other similar activity,
5 except as otherwise provided in section 68B.23.

6 6. EMPLOYMENT. A senator shall not accept
7 employment, either directly or indirectly, from a
8 political action committee or from an organization
9 exempt from taxation under section 501(c)(4),
10 501(c)(6), or 527 of the Internal Revenue Code that
11 engages in activities related to the nomination,
12 election, or defeat of a candidate for public office.

13 A senator may accept employment from a political
14 party, but shall disclose the employment relationship
15 in writing to the secretary of the senate within ten
16 days after the beginning of each legislative session.
17 If a senator accepts employment from a political
18 party during a legislative session, the senator shall
19 disclose the employment relationship within ten days
20 after acceptance of the employment.

21 For the purpose of this rule, a political action
22 committee means a committee, but not a candidate's
23 committee, which accepts contributions, makes
24 expenditures, or incurs indebtedness in the aggregate
25 of more than one thousand dollars in any one calendar
26 year to expressly advocate the nomination, election, or
27 defeat of a candidate for public office or to expressly
28 advocate the passage or defeat of a ballot issue or
29 influencing legislative action, or an association,
30 lodge, society, cooperative, union, fraternity,

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1 sorority, educational institution, civic organization,
2 labor organization, religious organization, or
3 professional organization which makes contributions in

4 the aggregate of more than one thousand dollars in any
5 one calendar year to expressly advocate the nomination,
6 election, or defeat of a candidate for public office or
7 ballot issue or influencing legislative action.

8 7. ECONOMIC INTERESTS OF LOBBYIST. With the
9 exception of exercising unfettered discretion in
10 supporting or refusing to support proposed legislation,
11 a senator shall not take action intended to affect the
12 economic interests of a lobbyist or citizen supporting
13 or opposing proposed legislation.

14 8. APPEARANCE BEFORE GOVERNMENTAL AGENCY. A
15 senator may appear before a governmental agency or
16 board in any representation case, except that the
17 senator shall not act as a lobbyist. Whenever a
18 senator appears before a governmental agency or board,
19 the senator shall carefully avoid all conduct which
20 might in any way lead members of the general public
21 to conclude that the senator is using the senator's
22 official position to further the senator's professional
23 success or personal financial interest.

24 9. CONFLICTS OF INTERESTS. In order to permit the
25 general assembly to function effectively, a senator
26 will sometimes be required to vote on bills and
27 participate in committee work which will affect the
28 senator's employment and other monetary interests. In
29 making a decision relative to the senator's activity on
30 given bills or committee work which are subject to the

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1 code, the following factors shall be considered:

2 a. Whether a substantial threat to the senator's
3 independence of judgment has been created by the
4 conflict situation.

5 b. The effect of the senator's participation on
6 public confidence in the integrity of the legislature.

7 c. The need for the senator's particular
8 contribution, such as special knowledge of the
9 subject matter, to the effective functioning of the
10 legislature.

11 ~~A senator with a conflict of interest may~~
12 ~~participate in floor debate if prior to debate the~~
13 ~~senator indicates the conflict of interest.~~

14 10. GIFTS. Except as otherwise provided in section
15 68B.22, a senator, or that person's immediate family
16 member, shall not, directly or indirectly, accept or
17 receive any gift or series of gifts from a restricted
18 donor.

19 11. DISCLOSURE REQUIRED. Each senator shall file
20 with the secretary of the senate within ten days after
21 the adoption of the code of ethics by the senate, and
22 within ten days after the convening of the second

23 session of the general assembly, a statement under
24 section 68B.35 on forms provided by the secretary of
25 the senate setting forth the following information:
26 The nature of each business in which the senator
27 is engaged and the nature of the business of each
28 company in which the senator has a financial interest.
29 A senator shall not be required to file a report or
30 be assumed to have a financial interest if the annual

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1 income derived from the investment in stocks, bonds,
2 bills, notes, mortgages, or other securities offered
3 for sale through recognized financial brokers is less
4 than one thousand dollars.
5 Disclosures required under this rule shall be as
6 of the date filed unless provided to the contrary,
7 and shall be amended to include interests and changes
8 encompassed by this rule that occur while the general
9 assembly is in session. All filings under this rule
10 shall be open to public inspection in the office of the
11 secretary of the senate at all reasonable times.
12 The secretary of the senate shall inform the
13 ethics committee of the statements which are filed
14 and shall report to the ethics committee the names of
15 any senators who appear not to have filed complete
16 statements. The chairperson of the ethics committee
17 shall request in writing that a senator who has failed
18 to complete the report or appears to have filed an
19 incomplete report do so within five days, and, upon
20 the failure of the senator to comply, the ethics
21 committee shall require the senator to appear before
22 the committee.

23 12. STATUTORY VIOLATIONS. Members of the general
24 assembly are urged to familiarize themselves with
25 chapters 68B, 721, and 722.

26 12A. HARASSMENT — RETALIATION. Senators,
27 lobbyists, and clients of lobbyists shall not engage
28 in conduct that constitutes harassment or retaliation
29 as provided in the personnel guidelines for the Iowa
30 Senate.

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1 12B. DISCRIMINATION — HARASSMENT — ABUSE. As
2 provided and defined in the personnel guidelines of the
3 Iowa Senate, a senator shall not engage in any act of
4 discrimination, harassment, or abuse of any person.

5 13. CHARGE ACCOUNTS. Senators shall not charge any
6 amount or item to any charge account to be paid for by
7 any lobbyist or any client the lobbyist represents.

8 14. TRAVEL EXPENSES. A senator shall not charge

9 to the state of Iowa amounts for travel and expenses
10 unless the senator actually has incurred those mileage
11 and expense costs. Senators shall not file the
12 vouchers for weekly mileage reimbursement required
13 by section 2.10, subsection 1, unless the travel
14 was actually incurred at commensurate expense to the
15 senator.

16 15. COMPLAINTS. Complaints or charges against
17 any senator or any lobbyist shall be in writing, made
18 under ~~oath penalty of perjury~~, and filed with the
19 secretary of the senate ~~or the chairperson of the~~
20 ~~ethics committee~~. ~~If~~ When filed with the secretary of
21 the senate, the secretary shall immediately advise the
22 chairperson of the ethics committee of the receipt of
23 the complaint.

24 Complaint forms shall be available from the
25 secretary of the senate, or the chairperson of the
26 ethics committee, but a complaint shall not be rejected
27 for failure to use an approved form if the complaint
28 substantially complies with senate requirements.

29 A complainant may submit exhibits and affidavits
30 attached to the complaint.

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1 16. FILING OF COMPLAINTS.

2 a. *Persons entitled*. Complaints may be filed by any
3 person believing that a senator, lobbyist, or client
4 of a lobbyist has violated the senate ethics code,
5 the joint rules governing lobbyists, or chapter 68B.
6 A violation of the criminal law may be considered to
7 be a violation of this code of ethics if the violation
8 constitutes a serious misdemeanor or greater, or a
9 repetitive and flagrant violation of the law.

10 b. *Committee complaint*. The ethics committee
11 may, upon its own motion, initiate a complaint,
12 investigation, or disciplinary action.

13 ~~c. *Timeliness of filing*. A complaint will be~~
14 ~~considered to be timely filed if it is filed within~~
15 ~~three years of the occurrence of the alleged violation~~
16 ~~of the ethics code.~~

17 17. PERMANENT RECORD. The secretary of the senate
18 shall maintain a permanent record of all complaints
19 filed, evidence received by the committee, and any
20 transcripts or other recordings made of committee
21 proceedings, including a separate ~~card~~ file containing
22 the date filed, name and address of the complainant,
23 name and address of the respondent, a brief statement
24 of the charges made, and ultimate disposition of
25 the complaint. The secretary shall keep each such
26 complaint confidential until public disclosure is made
27 by the ethics committee.

28 18. PREHEARING PROCEDURE.

29 a. *Defective complaint.* Upon receipt of a
30 complaint, the chairperson and ranking member of the

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1 ethics committee shall determine whether the complaint
2 substantially complies with the requirements of this
3 code of ethics and section 68B.31, subsection 6. If
4 the complaint does not substantially comply with
5 the requirements for formal sufficiency under the
6 code of ethics, the complaint may be returned to the
7 complainant with a statement that the complaint is not
8 in compliance with the code and a copy of the code. If
9 the complainant fails to amend the complaint to comply
10 with the code within a reasonable time, the chairperson
11 and ranking member may dismiss the complaint with
12 prejudice for failure to prosecute.

13 b. *Service of complaint on respondent.* Upon
14 receipt of any complaint substantially complying
15 with the requirements of this code of ethics, the
16 chairperson of the ethics committee shall cause a copy
17 of the complaint and any supporting information to be
18 delivered promptly to the respondent, requesting a
19 written response to be filed within ten days. At the
20 time delivery is made to the respondent, delivery of
21 copies of the complaint and any supporting information
22 shall be made to legislative staff assigned to the
23 ethics committee. The response may do any of the
24 following:

25 (1) Admit or deny the allegation or allegations.

26 (2) Object that the allegation fails to allege a
27 violation of chapter 68B, the joint rules governing
28 lobbyists, or the code of ethics.

29 (3) Object to the jurisdiction of the committee.

30 (4) Request a more specific statement of the

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1 allegation or allegations.

2 c. *Objection to member.* In addition to the
3 items which may be included in a response pursuant
4 to paragraph "b", the response may also include an
5 objection to the participation of any member of the
6 committee in the consideration of the allegation or
7 allegations on the grounds that the member cannot
8 render an impartial and unbiased decision.

9 d. *Extension of time.* At the request of the
10 respondent and upon a showing of good cause, the
11 committee, or the chairperson and ranking member,
12 may extend the time for response, not to exceed ten
13 additional days.

14 e. *Confidentiality.* If a complaint is not
15 otherwise made public by the complainant, the members
16 of the committee and legislative staff assigned to
17 the ethics committee shall treat the complaint and
18 all supporting information as confidential until the
19 written response is received from the respondent.
20 f. *Communications with ethics committee.* After a
21 complaint has been filed or an investigation has been
22 initiated, a party to the complaint or investigation
23 shall not communicate, or cause another to communicate,
24 as to the merits of the complaint or investigation with
25 a member of the committee, except under the following
26 circumstances:
27 (1) During the course of any meetings or other
28 official proceedings of the committee regarding the
29 complaint or investigation.
30 (2) In writing, if a copy of the writing is

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1 delivered to the adverse party or the designated
2 representative for the adverse party.
3 (3) Orally, if adequate prior notice of the
4 communication is given to the adverse party or the
5 designated representative for the adverse party.
6 (4) As otherwise authorized by statute, the senate
7 code of ethics, the joint rules governing lobbyists, or
8 vote of the committee.
9 g. *Scheduling hearing.* Upon receipt of the
10 response, the committee shall schedule a public meeting
11 to review the complaint and available information, and
12 shall do one of the following:
13 (1) Notify the complainant that no further
14 action will be taken, unless further substantiating
15 information is produced.
16 (2) Dismiss the complaint for failure to meet the
17 statutory and code of ethics requirements for valid
18 complaints.
19 (3) Take action on the complaint without requesting
20 the appointment of an independent special counsel
21 if the committee determines the complaint is valid
22 and determines no dispute exists between the parties
23 regarding the material facts that establish a
24 violation. The committee may do any of the following:
25 (a) Issue an admonishment to advise against the
26 conduct that formed the basis for the complaint and to
27 exercise care in the future.
28 (b) Issue an order to cease and desist the conduct
29 that formed the basis for the complaint.
30 (c) Make a recommendation to the senate that

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1 the person subject to the complaint be censured or
2 reprimanded.
3 (4) Request that the chief justice of the supreme
4 court appoint an independent special counsel to conduct
5 an investigation of the complaint and supporting
6 information, to make a determination of probable cause,
7 and to report the findings to the committee, which
8 shall be received within a reasonable time.
9 h. *Public hearing.* If independent special counsel
10 is appointed, upon receipt of the report of independent
11 special counsel's findings, the committee shall
12 schedule a public meeting to review the report and
13 shall do either of the following:
14 (1) Cause the complaint to be scheduled for a
15 public hearing.
16 (2) Dismiss the complaint based upon a
17 determination by independent special counsel and the
18 committee that insufficient evidence exists to support
19 a finding of probable cause.
20 19. HEARING PROCEDURE.
21 a. *Notice of hearing.* If the committee causes a
22 complaint to be scheduled for a public hearing, notice
23 of the hearing date and time shall be given to the
24 complainant and respondent in writing, and of the
25 respondent's right to appear in person, be represented
26 by legal counsel, present statements and evidence, and
27 examine and cross-examine witnesses. The committee
28 shall not be bound by formal rules of evidence, but
29 shall receive relevant evidence, subject to limitations
30 on repetitiveness. Any evidence taken shall be under

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1 oath.
2 b. *Subpoena power.* The committee may require, by
3 subpoena or otherwise, the attendance and testimony of
4 witnesses and the production of such books, records,
5 correspondence, memoranda, papers, documents, and any
6 other things it deems necessary to the conduct of the
7 inquiry.
8 c. *Ex post facto.* An investigation shall not be
9 undertaken by the committee of a violation of a law,
10 rule, or standard of conduct that is not in effect at
11 the time of violation.
12 d. *Disqualification of member.* Members of the
13 committee may disqualify themselves from participating
14 in any investigation of the conduct of another person
15 upon submission of a written statement that the member
16 cannot render an impartial and unbiased decision
17 in a case. A member may also be disqualified by a

18 unanimous vote of the remaining eligible members of the
19 committee.

20 A member of the committee is ineligible to
21 participate in committee meetings, as a member of the
22 committee, in any proceeding relating to the member's
23 own official conduct.

24 If a member of the committee is disqualified or
25 ineligible to act, the majority or minority leader who
26 appointed the member shall appoint a replacement member
27 to serve as a member of the committee during the period
28 of disqualification or ineligibility.

29 e. *Hearing.* At the hearing, the chairperson shall
30 open the hearing by stating the charges, the purpose of

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1 the hearing, and its scope. The burden of proof rests
2 upon the complainant to establish the facts as alleged,
3 by clear and convincing evidence. However, questioning
4 of witnesses shall be conducted by the members of the
5 committee, by independent special counsel, or by a
6 senator. The chairperson shall also permit questioning
7 by legal counsel representing the complainant or
8 respondent.

9 The chairperson or other member of the committee
10 presiding at a hearing shall rule upon procedural
11 questions or any question of admissibility of evidence
12 presented to the committee. Rulings may be reversed by
13 a majority vote of the committee members present.

14 The committee may continue the hearing to a future
15 date if necessary for appropriate reasons or purposes.

16 f. *Committee action.* Upon receipt of all relevant
17 evidence and arguments, the committee shall consider
18 the same and recommend to the senate any of the
19 following:

20 (1) That the complaint be dismissed.

21 (2) That the senator, lobbyist, or client of a
22 lobbyist be censured or reprimanded, and recommend the
23 appropriate form of censure or reprimand.

24 (3) Any other appropriate sanction, including
25 suspension or expulsion from membership in the senate,
26 or suspension of lobbying privileges.

27 g. *Disposition resolution.* By appropriate
28 resolution, the senate may amend, adopt, or reject
29 the report of the ethics committee, including the
30 committee's recommendations regarding disciplinary

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1 action.

2 20. COMMITTEE AUTHORIZED TO MEET. The senate
3 ethics committee is authorized to meet at the

4 discretion of the chairperson to conduct hearings and
5 other business that properly may come before it. If
6 the committee submits a report seeking senate action
7 against a senator, lobbyist, or client of a lobbyist
8 after the second regular session of a general assembly
9 has adjourned sine die, the report shall be submitted
10 to and considered by the subsequent general assembly.
11 However, the report may be submitted to and considered
12 during any special session which may take place after
13 the second regular session of a general assembly has
14 adjourned sine die, but before the convening of the
15 next general assembly.

16 21. ADVISORY OPINIONS.

17 a. *Requests for formal opinions.* A request for a
18 formal advisory opinion may be filed by any person who
19 is subject to the authority of the ethics committee.
20 The ethics committee may also issue a formal advisory
21 opinion on its own motion, without having previously
22 received a formal request for an opinion, on any issue
23 that is within the jurisdiction of the committee.
24 Requests shall be filed with either the secretary of
25 the senate or the chairperson of the ethics committee.
26 b. *Form and contents of requests.* A request for
27 a formal advisory opinion shall be in writing and
28 may pertain to any subject matter that is related
29 to the application of the senate code of ethics, the
30 joint rules governing lobbyists, or chapter 68B of the

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1 ~~Code~~ to any person who is subject to the authority of
2 the ethics committee. Requests shall contain one or
3 more specific questions and shall relate either to
4 future conduct or be stated in the hypothetical. A
5 request for an advisory opinion shall not specifically
6 name any individual or contain any other specific
7 identifying information, unless the request relates
8 to the requester's own conduct. However, any request
9 may contain information which identifies the kind
10 of individual who may be affected by the subject
11 matter of the request. Examples of this latter kind
12 of identifying information may include references to
13 conduct of a category of individuals, such as but not
14 limited to conduct of legislators, legislative staff,
15 lobbyists, or clients of lobbyists.
16 c. *Confidentiality of formal requests and opinions.*
17 Requests for formal opinions are not confidential and
18 any deliberations of the committee regarding a request
19 for a formal opinion shall be public. Opinions issued
20 in response to requests for formal opinions are not
21 confidential, shall be in writing, and shall be placed
22 on file in the office of the secretary of the senate.

23 Persons requesting formal opinions shall personally
 24 receive a copy of the written formal opinion that is
 25 issued in response to the request.
 26 22. CALCULATION OF TIME — DAYS. For purposes of
 27 these rules, unless the context otherwise requires,
 28 the word “day” or “days” shall mean a calendar day
 29 except that if the day is the last day of a specific
 30 time period and falls upon a Saturday, Sunday, or legal

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1 holiday, the time prescribed shall be extended so as to
 2 include the whole of the next day in which the offices
 3 of the senate and the general assembly are open for
 4 official business.
 5 23. COMPLAINT FILING FORM. The following form
 6 shall be used to file a complaint under these rules:
 7 THE SENATE
 8 Ethics Complaint Form
 9 Re: _____
 10 (Senator/Lobbyist/Client of Lobbyist), of
 11 _____, Iowa.
 12 I, _____ (Complainant),
 13 residing at _____, in the City of
 14 _____, State of _____,
 15 hereby complain that _____
 16 (Senator/Lobbyist/Client of Lobbyist), whose address
 17 is _____, has
 18 violated the Senate Code of Ethics, chapter 68B, or
 19 Joint Rules Governing Lobbyists in that:
 20 (Explain the basis for the complaint here. Use
 21 additional pages, if necessary.)
 22 Under penalty of perjury, I certify that the above
 23 complaint is true and correct as I verily believe.
 24 _____
 25 Signature of Complainant
 26 SUBSCRIBED AND AFFIRMED to before me this _____
 27 day of _____, _____.
 28 _____
 29 Notary Public in and for the
 30 State of _____

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1 24. COMPLAINT NOTICE FORM. The following form
 2 shall be used for notice of a complaint under these
 3 rules:
 4 STATE OF IOWA
 5 THE SENATE
 6 COMMITTEE ON ETHICS)
 7 IOWA STATE SENATE)
 8)

9 On The Complaint Of) NOTICE OF COMPLAINT
 10)
 11 _____)
 12)
 13 And Involving)
 14)
 15 _____)
 16)
 17 TO _____,
 18 Senator or Lobbyist or Client of Lobbyist named
 19 above:
 20 You are hereby notified that there is now on file
 21 with the Secretary of the Senate, State Capitol, Des
 22 Moines, Iowa, a complaint which alleges that you have
 23 committed a violation of the Senate's Code of Ethics,
 24 chapter 68B, or Joint Rules Governing Lobbyists.
 25 A copy of the complaint and the Senate rules for
 26 processing the same are attached hereto and made a part
 27 of this notice.
 28 You are further notified and requested to file your
 29 written answer to the complaint within ten days of the
 30 date upon which the notice was caused to be delivered

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1 to you, (date) _____.
 2 Your answer is to be filed with the Secretary of the
 3 Senate, State Capitol, Des Moines, Iowa.
 4 Dated this _____ day of _____.
 5 _____
 6 Chairperson, Senate Ethics
 7 Committee,
 8 or Secretary of the Senate
 9 25. HEARING NOTICE FORM. The following form shall
 10 be used for notice of a hearing under these rules:
 11 STATE OF IOWA
 12 THE SENATE
 13 COMMITTEE ON ETHICS)
 14 IOWA STATE SENATE)
 15)
 16 On The Complaint Of) NOTICE OF HEARING
 17)
 18 _____)
 19)
 20 And Involving)
 21)
 22 _____)
 23)
 24 TO _____,
 25 Senator or Lobbyist or Client of Lobbyist named
 26 above:
 27 You are hereby notified that there is now on file

28 with the Secretary of the Senate, State Capitol, Des
 29 Moines, Iowa, a complaint which alleges that you have
 30 committed a violation of the Senate's Code of Ethics.

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1 chapter 68B, or Joint Rules Governing Lobbyists.
 2 A copy of the complaint and the Senate rules for
 3 processing the same are attached hereto and made a part
 4 of this notice.
 5 You are further notified that, after preliminary
 6 review, the committee has caused a public hearing to be
 7 scheduled on (date) _____, _____, at
 8 (hour) _____ (a.m.) (p.m.), in Room ____, State
 9 Capitol, Des Moines, Iowa.
 10 At the hearing, you will have the right to appear
 11 in person, be represented by legal counsel at your own
 12 expense, present statements and evidence, and examine
 13 and cross-examine witnesses. The committee shall
 14 not be bound by formal rules of evidence, but shall
 15 receive relevant evidence, subject to limitations on
 16 repetitiveness. Any evidence taken shall be under
 17 oath.
 18 The committee may continue the hearing to a future
 19 date if necessary for appropriate reasons or purposes.
 20 You are further notified that the committee will
 21 receive such evidence and take such action as warranted
 22 by the evidence.
 23 Dated this ____ day of _____, _____.
 24 _____
 25 Chairperson, Senate Ethics
 26 Committee,
 27 or Secretary of the Senate
 28 26. PERSONAL FINANCIAL DISCLOSURE FORM. The
 29 following form shall be used for disclosure of economic
 30 interests under these rules and section 68B.35:

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1 STATEMENT OF ECONOMIC INTERESTS
 2 Name: _____
 3 (Last) (First) (Middle Initial)
 4 Address: _____
 5 (Street Address, Apt.#/P.O. Box)
 6 _____
 7 (City) (State) (Zip)
 8 Phone:(Home) ____/____-(Business) ____/____-_____
 9 *****
 10 a. Please list each business, occupation, or
 11 profession in which you are engaged. In listing
 12 the business, occupation, or profession, it is
 13 not necessary that your employer or the name of

14 the business be listed, although all businesses,
15 occupations, or professions must be listed, regardless
16 of the amount of income derived or time spent
17 participating in the activity. (Examples of types
18 of businesses, occupations, or professions that may
19 be listed: teacher, lawyer, legislator, real estate
20 agent, insurance adjuster, salesperson....)
21 (1) _____
22 (2) _____
23 (3) _____
24 (4) _____
25 (5) _____
26 b. Please list the nature of each of the
27 businesses, occupations, or professions which you
28 listed in paragraph "a", above, unless the nature of
29 the business, occupation, or profession is already
30 apparent from the information indicated above. The

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1 descriptions in this paragraph should correspond by
2 number to the numbers for each of the businesses,
3 occupations, or professions listed in paragraph "a".
4 (Examples: If you indicated, for example, that you
5 were a salesperson in subparagraph (1) of paragraph
6 "a", you should list in subparagraph (1) of this
7 paragraph the types of goods or services sold in this
8 item. If you indicated that you were a teacher in
9 subparagraph (2) of paragraph "a", you should indicate
10 in subparagraph (2) of this paragraph the type of
11 school or institution in which you provide instruction
12 or whether the instruction is provided on a private
13 basis. If you indicated that you were a lawyer in
14 subparagraph (3) of paragraph "a", you should indicate
15 your areas of practice and whether you are in private,
16 corporate, or government practice in subparagraph (3)
17 of this paragraph. If you indicated in subparagraph
18 (4) of paragraph "a" that you were a consultant, in
19 subparagraph (4) of this paragraph you should indicate
20 the kind of services provided and types of clients
21 served.)
22 (1) _____
23 (2) _____
24 (3) _____
25 (4) _____
26 (5) _____
27 c. Please list each source, by general description,
28 from which you receive, or which generates, more than
29 one thousand dollars in gross annual income in the
30 categories listed below. For purposes of this item,

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1 a source produces gross annual income if the revenue
 2 produced by the source is subject to federal or state
 3 income taxes. In completing this item, it is not
 4 necessary to list the name of the company, business,
 5 financial institution, corporation, partnership, or
 6 other entity which constitutes the source of the income
 7 and the amount or value of the holding should not be
 8 listed.

9 (1) Securities (Here for example, you need not
 10 state that you own X number of shares of any specific
 11 company by brand or corporate name, or that the stock
 12 is of a certain value, but may instead state that you
 13 possess stock in a company and indicate the nature of
 14 the company's business.):

15 _____
 16 _____
 17 _____
 18 _____
 19 _____

20 (2) Instruments of Financial Institutions (You
 21 need not indicate, for example, in which institutions
 22 you hold certificates of deposit that produce annual
 23 income over the one thousand dollar threshold, but
 24 simply listing the nature of the institution will
 25 suffice, e.g., bank, credit union, or savings and loan
 26 association.):

27 _____
 28 _____
 29 _____
 30 _____

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1 _____
 2 (3) Trusts (The name of the particular trust need
 3 not be listed. However, if the income is received
 4 from a charitable trust/foundation, such as the Pugh
 5 Charitable Trust, in the form of a grant, the fact that
 6 the trust is a charitable trust should be noted here.):

7 _____
 8 _____
 9 _____
 10 _____
 11 _____

12 (4) Real Estate (When listing real estate, it is
 13 not necessary to list the location of the property, but
 14 the general nature of the real estate interest should
 15 be indicated, e.g., residential leasehold interest or
 16 farm leasehold interest.):

17 _____

18 _____
19 _____
20 _____
21 _____
22 (5) Retirement Systems (When listing retirement
23 benefits, it is not necessary to list the name of
24 the particular pension system or company, but rather
25 the type of benefit should be listed, e.g., health
26 benefits, life insurance benefits, private pension, or
27 government pension.):
28 _____
29 _____
30 _____

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1 _____
2 _____
3 ~~(6) Other Income Categories Specified in State or~~
4 ~~Federal Income Tax Regulations (List description of~~
5 ~~other sources of income producing over one thousand~~
6 ~~dollars in annual income not previously reported above,~~
7 ~~but which must be reported for income tax purposes.):~~
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 (Signature of filer) (Date) _____

Senate Resolution 3: filed February 6, 2019; adopted as amended by the Senate on February 13, 2019.

SENATE RESOLUTION 3
By Whitver

1 A Resolution relating to permanent rules of the senate
2 for the eighty-eighth general assembly.
3 A Resolution BE IT RESOLVED BY THE SENATE, That the permanent
4 rules of the senate for the ~~eighty seventh~~
5 eighty-eighth general assembly be as follows:
6 RULES OF THE SENATE
7 Rule 1
8 Quorum
9 A constitutional majority shall constitute a quorum
10 of the senate. Any senator may insist a quorum be
11 present.
12 Rule 2
13 Adoption and Amendment of Rules

14 Whenever the senate is operating under temporary
15 rules, the rules may be amended or repealed, or
16 permanent rules may be adopted, by a constitutional
17 majority of the senators. After adoption of permanent
18 rules of the senate during any general assembly, the
19 rules may be amended or repealed by a constitutional
20 majority of the senators voting on a simple resolution.
21 Rule 3
22 Rules of Parliamentary Procedure
23 In cases not covered by senate rules or joint rules,
24 Mason's Manual of Legislative Procedure shall govern.
25 Rule 4
26 Sessions of the General Assembly

Page 2

1 The election of officers, organization, hiring and
2 compensation of employees, and committees of the senate
3 shall carry over from the first to the second regular
4 sessions and to any extraordinary sessions of the same
5 general assembly.
6 All bills, study bills, and resolutions introduced
7 in the first regular session of a general assembly,
8 except those which have been withdrawn, indefinitely
9 postponed, or have failed, shall carry over into the
10 second regular session and to any extraordinary session
11 of the same general assembly. Bills and resolutions
12 which have been voted upon on final passage by either
13 house in any session shall remain on the calendar in
14 the same status as at the end of the session at any
15 subsequent regular or extraordinary session. Except
16 as provided by this rule, upon the adjournment of the
17 first regular session and any extraordinary session,
18 each bill or resolution shall be automatically referred
19 back to the committee to which it was originally
20 assigned. The secretary of the senate shall publish in
21 the journal a list of the bills returned to committee
22 under this rule and shall present a list to the chairs
23 of the respective committees upon the convening of
24 the second regular session. Within seven days after
25 the first committee meeting after the convening of
26 the second regular session, committee chairs shall
27 either refer such bills and resolutions that have been
28 returned to their respective committees under this rule
29 to a subcommittee for consideration or indefinitely
30 postpone further consideration of such bills. The

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1 committee chairs shall report to the senate the bill
2 or resolution number and the names of the subcommittee
3 members.

- 4 Rule 5
5 Regular Order of Daily Business
6 The following order shall govern, subject to any
7 special order:
8 1. Correction of the journal.
9 2. Senators to be excused.
10 3. Communications to the Senate.
11 4. Introduction of bills and resolutions.
12 5. Consideration of senate calendar.
13 Rule 6
14 Senate Calendar
15 1. Each legislative day the secretary of the senate
16 shall prepare a listing of bills to be known as the
17 "Senate Calendar".
18 2. The senate calendar shall include separate
19 listings for any bills and resolutions in the following
20 categories:
21 a. Conference Committee Report
22 b. Bills in Conference Committee
23 c. House Amendment to Senate Amendment to House
24 File
25 d. House Refuses to Concur in Senate Amendment to
26 House File
27 e. Senate Files Amended by the House
28 f. Unfinished Business
29 g. Motions to Reconsider
30 h. Administrative Rules Nullification Resolutions

Page 4

- 1 i. Veto Messages from the Governor
2 3. The secretary shall list bills and resolutions
3 in the above categories in numerical order. Upon
4 their first publication in the calendar, bills and
5 resolutions in the above categories may be called up
6 for debate at any time by the majority leader. Motions
7 to reconsider shall be called up as provided by Rule
8 24.
9 4. The senate calendar shall include a listing
10 of senate appropriations committee bills and bills
11 reported out by the senate appropriations committee.
12 The list shall be known as the "Appropriations
13 Calendar". The secretary shall list the bills in
14 numerical order. Upon their first publication in the
15 calendar, bills on the appropriations calendar may be
16 called up for debate at any time by the majority leader
17 provided they are eligible under Rule 8.
18 5. The senate calendar shall include a listing
19 of bills which pertain to the levy, assessment or
20 collection of taxes sponsored by or initially assigned
21 to and reported out by the senate ways and means
22 committee. The list shall be known as the "Ways and

23 Means Calendar". The secretary shall list the bills in
24 numerical order. Upon their first publication in the
25 calendar, bills on the ways and means calendar may be
26 called up for debate at any time by the majority leader
27 provided they are eligible under Rule 8.

28 6. The senate calendar shall include a list of
29 bills and resolutions, known as the "Regular Calendar",
30 which shall consist of bills and resolutions reported

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1 out by a senate committee. The bills and resolutions
2 shall be listed in numerical order. Priority shall be
3 given to senate over house bills and resolutions. Upon
4 their first publication in the calendar, bills on the
5 regular calendar may be called up for debate at any
6 time by the majority leader, provided they are eligible
7 under Rule 8.

8 A bill reported out of committee which is
9 subsequently referred to the ways and means or
10 appropriations committee and then reported out of that
11 committee, shall be returned to the regular calendar in
12 numerical order.

13 7. The senate calendar shall include a listing of
14 the governor's appointees to state boards, commissions,
15 and other offices requiring senate confirmation. This
16 listing shall be known as the "Confirmation Calendar".
17 Names on the confirmation calendar may be called up
18 for confirmation at any time by the majority leader
19 provided they are eligible under rule 59.

20 8. The majority leader, or in the absence of the
21 majority leader the assistant majority leaders, may
22 select from among the bills on the previous legislative
23 day's Senate calendar and from the bills selected
24 create a new listing which shall be known as the
25 "Tentative Debate Calendar". A bill or resolution on
26 the tentative debate calendar may be debated only when
27 eligible under Rule 8.

28 9. If the senate shall not be in session on a day
29 assigned in ~~paragraph eight~~ subsection 8 for action
30 upon a calendar, such assigned action may occur on the

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1 next succeeding legislative day.

2 10. On any bill called up for debate from any
3 calendar, debate may continue from day to day until
4 it is adopted, fails, or is postponed or deferred. If
5 further debate is postponed or deferred without a time
6 to continue being set, the bill shall be listed as
7 unfinished business. Bills that are returned to the
8 committee of first referral or to a different committee

9 after being considered by the senate and classified as
10 unfinished business shall be returned to the unfinished
11 business calendar by that committee when the bill is
12 reported out of committee. The unfinished business
13 date on the calendar shall be the date on which the
14 bill was returned to committee.

15 Rule 7

16 Reserved.

17 Rule 8

18 When Eligible for Consideration

19 Bills, resolutions, and appointments shall be
20 eligible for consideration by the senate as follows:

21 1. An appointment by the governor which requires
22 senate confirmation shall be eligible on the second
23 legislative day it is printed in the senate calendar as
24 provided by Rule 59.

25 2. A house or individually sponsored bill or
26 resolution reported out by a committee shall be
27 eligible on the second legislative day it is printed in
28 the senate calendar.

29 3. A committee bill or resolution sponsored by
30 the appropriations committee shall be eligible on the

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1 second legislative day it is printed in the senate
2 calendar.

3 4. Any committee bill or resolution, other than
4 a bill or resolution sponsored by the appropriations
5 committee, shall be eligible on the third legislative
6 day it is printed in the senate calendar.

7 5. A bill that has been reported out to the
8 senate calendar, referred to a different committee
9 and reported out by that committee is eligible for
10 consideration by the senate on the day it would have
11 been eligible under subsection 2, 3, or 4, whichever
12 is applicable, as if the bill had been printed in the
13 calendar after having been reported out by the first
14 committee.

15 Rule 9

16 Debate and Decorum

17 Before addressing the senate, the senator shall
18 request recognition by depressing the "speak" device
19 and, when recognized, rise and respectfully address the
20 chair.

21 The senator shall confine all remarks to the
22 question under debate and shall avoid discussing
23 personalities or implication of improper motives. No
24 questions except by the senator recognized shall be
25 entertained after a senator is recognized to give final
26 remarks.

27 Rule 10

28 Point of Personal Privilege
29 A point of personal privilege shall only be
30 recognized immediately prior to adjournment for the

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1 day when there is no motion pending or other business
2 being considered by the senate. Points of personal
3 privilege shall not be in order during the time when
4 appropriation subcommittees are scheduled to meet.
5 Senators speaking on a point of personal privilege
6 shall be limited to ten minutes.

7 Rule 11

8 Introduction and Presentation of Guests

9 Only former members of the senate and former and
10 present members of Congress shall be presented to
11 the senate, except that the president of the senate
12 may present a visitor whose presence is of special
13 significance to the senate. The introduction of
14 school groups accompanied by school officials shall be
15 announced by the president of the senate or a senator
16 and shall be recorded in the journal upon written
17 request of a member of the senate. Senators may be
18 recognized to introduce guests in the galleries when
19 there is no motion pending or other business being
20 considered by the senate. Introductions shall be
21 limited to one minute.

22 Rule 12

23 Form and Withdrawal of Motions, Amendments, and
24 Signatures

25 Motions need not be in writing unless required by
26 the president or by the senate. No motion requires
27 a second. Any amendment, motion (including a motion
28 to reconsider), or resolution may be withdrawn by the
29 mover if it has not been amended by the senate and if
30 no amendment is pending. All amendments to bills,

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1 resolutions, and reports shall be in writing and filed
2 before being acted upon by the senate.
3 No amendment, resolution, bill, or conference
4 committee report shall be considered by the senate
5 without a copy of the amendment, resolution, bill, or
6 conference committee report being on the desks of the
7 entire membership of the senate prior to consideration.
8 However, after the fourteenth week of the first session
9 and the twelfth week of the second session, amendments
10 and senate resolutions may be considered by the senate
11 without a copy of the amendment or senate resolution
12 being on the desks of the entire membership of the
13 senate if a copy of the amendment or senate resolution

14 is made available to the entire membership of the
15 senate electronically. However, such consideration
16 shall be deferred until a copy of the amendment or
17 senate resolution is on the desk of any senator who so
18 requests.

19 All amendments, reports, petitions or other
20 documents requiring a signature shall have the name
21 printed under the place for the signature. Once a
22 signature is affixed and the document containing the
23 signature filed with the recording clerk in the well,
24 that signature shall not be removed.

25 When an amendment to a main amendment is filed that
26 would negate the effect of the main amendment and
27 thereby leave the bill unchanged, the presiding officer
28 shall have the authority to declare the amendment to
29 the main amendment out of order, subject to an appeal
30 to the full senate.

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1 When a house amendment to a senate file is before
2 the senate, an amendment to the house amendment shall
3 be considered an amendment in the first degree.

4 Regardless of its origin, an amendment in the third
5 degree shall be ruled out of order.

6 When a ruling on whether an amendment is or is not
7 germane is issued, the ruling shall be accompanied by
8 an explanation.

9 Rule 13

10 Order and Precedence of Motions and Amendments

11 When a question is under debate, no motion shall
12 be received but to adjourn, to recess, questions
13 of privilege, to lay on the table, for the previous
14 question, to postpone to a day certain, to refer,
15 to amend, to postpone indefinitely, to defer, or
16 incidental motions. A substitute is not in order
17 unless it is in the form of a motion to substitute.

18 Such motions shall have precedence in the order in
19 which they are named. No motion to postpone to a
20 day certain, to refer, or postpone indefinitely,
21 being decided, shall be again allowed on the same
22 day with regard to the same question. A motion to
23 strike out the enacting clause of a bill shall have
24 precedence over all amendments and, if carried, shall
25 be considered equivalent to the rejection of the bill.

26 A motion to strike everything after the enacting
27 clause has precedence over a committee amendment and
28 all other amendments except one to strike the enacting
29 clause. A committee amendment has precedence over all
30 other amendments except as provided in this rule.

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1 A motion to rerefer a bill to committee may specify
2 when the committee shall report the bill to the senate.
3 If the motion is adopted in such form, the committee
4 must report the bill by the date and time specified
5 with or without recommendation or the bill shall
6 automatically be returned to the calendar. When the
7 bill is returned to the calendar, it shall occupy
8 the same position it occupied at the time the bill
9 was rereferred to the committee. If the committee
10 to which the bill is rereferred submits an amendment
11 in its report, that committee amendment shall take
12 precedence over other amendments except if that
13 committee amendment is in conflict with amendments
14 previously adopted, the committee amendment shall
15 not be considered until consideration of motions to
16 reconsider the previously adopted amendments result
17 in removing the conflict. A committee may not file
18 an amendment to a bill unless the bill is in the
19 committee's possession.

20 Rule 14

21 Motions Before the Senate

22 Motions before the senate, except motions for
23 adjournment or recess, shall be displayed on the
24 electronic voting system display boards.

25 Rule 15

26 Nondebatable Motions

27 The following motions are not debatable:

28 Adjourn

29 Recess

30 Lift a Call of the Senate

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1 Lay on Table or Take from Table

2 Previous Question

3 Reconsider vote by which bill was placed on last
4 reading.

5 A Motion to Reconsider and Lay the Motion to
6 Reconsider on the Table (Double-barreled Motion).

7 Rule 16

8 Division of the Question

9 Any senator may call for a division of a question,
10 which shall be divided if it includes propositions
11 so distinct that if one is taken away, a substantive
12 proposition shall remain in a technically proper form
13 for the decision of the senate. A motion to strike out
14 and insert is indivisible; but a motion to strike out,
15 if lost, shall not preclude amendments to the matter
16 attempted to be stricken or a motion to strike out and
17 insert.

18 Rule 17

19 The Previous Question

20 The previous question shall be in this form: "Shall
21 debate be closed on the pending question?" A motion
22 for the previous question may be adopted by a majority
23 of the senators present and voting. Its effect shall
24 be to put an end to debate and bring the senate to a
25 direct vote upon the pending question. However, any
26 senator who has not previously spoken on the pending
27 question and who, after the main question is taken up
28 and before the motion for the previous question has
29 been made, requested recognition by depressing the
30 "speak" device may speak no longer than five minutes

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1 on the pending question. If action on the pending
2 question continues into another legislative day or is
3 deferred, the previous question shall apply and the
4 requests to be recognized shall be honored.
5 When the motion applies to an amendment, the senator
6 proposing the amendment shall have five minutes to
7 close debate on the amendment.
8 The senator handling the measure under consideration
9 shall have ten minutes to close debate on the main
10 question.

11 Rule 18

12 Call of the Senate

13 Ten senators may file in writing a call of the
14 senate on any single item of legislative business.
15 A call of the senate requires the presence of every
16 senator and is in order at any time prior to the vote
17 being announced by the president. The sergeant-at-arms
18 shall return promptly all absent senators. Debate
19 on the item may continue while absent senators are
20 returning, but no vote on the item is in order on it
21 until all have returned. Adoption of a motion to
22 recess or adjourn to a specific time will not lift
23 the call. The call may be lifted, or a senator may
24 be excused from the call without lifting the call, by
25 a vote of a constitutional majority of the senators.
26 Those senators excused prior to the filing of the call
27 are excused from the call.

28 Rule 19

29 Committee of the Whole

30 The senate may resolve itself into a committee of

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1 the whole senate when it wishes to permit more free and
2 informal discussion. Persons other than senators may
3 appear and present information.

4 Any senator may move "that the senate now resolve
5 itself into a committee of the whole to consider" a
6 stated subject.
7 The president of the senate shall be chair of the
8 committee of the whole unless otherwise ordered by the
9 senate.
10 The procedure in committee of the whole is subject
11 to the rules of the senate. The previous question and
12 the motion to reconsider shall be in order.
13 The committee of the whole cannot take any final
14 action and its power is limited to recommendation to
15 the senate. The proceedings of the committee of the
16 whole, including any roll call vote, shall be printed
17 in the journal.
18 Any senator may at any time, except while voting or
19 while a senator has the floor, move that "the committee
20 rise" which is equivalent to a motion to adjourn.
21 After adoption of the motion to rise, the chair
22 may report to the senate in the same manner as other
23 committee reports are given.
24 Rule 20
25 Last Reading and Passage of Bills
26 When a motion to place a bill on its last reading is
27 lost, the same motion shall be in order at any later
28 time. After the last reading of a bill, no amendment
29 shall be received. The vote on final passage shall be
30 taken immediately without debate.

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1 Rule 21
2 Engrossment of Bills
3 An engrossment is a proofreading and verification
4 in order to be certain that a bill before the senate is
5 identical with the original bill as introduced with all
6 amendments which have been adopted correctly inserted.
7 In an engrossed bill, all obvious typographical,
8 spelling or other clerical errors are corrected and
9 section or paragraph numbers and internal references
10 are changed as required to conform the original bill
11 to any amendments which have been adopted. All such
12 corrections or changes shall be reported in the journal
13 by the secretary of the senate. The engrossed bill
14 shall be placed in the bill file with the original bill
15 and amendments.
16 Rule 22
17 Manner of Voting
18 On voice vote, the question shall be distinctly put
19 in this form: "Those in favor of (the question) say
20 ~~'aye'~~ 'yea'." "Those opposed to (the question) say
21 'no'."
22 A non-record or record roll call vote may be

23 requested by any senator or ordered by the president
24 any time before the results are announced. A
25 non-record roll call shall be requested by asking for a
26 “division”. A record roll call shall be requested by
27 asking for a “record”. Upon request for a non-record
28 or record roll call vote, the president shall announce
29 that such a non-record or record roll call vote has
30 been requested and shall state the question to be put

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1 to the senate. The president then shall direct the
2 secretary of the senate to receive the votes.
3 Senators present may cast their votes, either
4 by operating the voting mechanism located at their
5 assigned desk or by signaling the president if they are
6 unable to vote at their assigned desk. The president
7 shall enter the votes of senators signaling their
8 votes.

9 After sufficient time has elapsed for all senators
10 present to record their votes, the president shall
11 direct the secretary of the senate to close the voting
12 system. The president shall still enter the senators’
13 votes at any time prior to directing the secretary of
14 the senate to lock the voting system. The president
15 shall then immediately announce the vote.

16 During a record roll call vote, both individual
17 votes and vote totals shall be indicated on the display
18 boards and printed in the journal. On non-record
19 roll calls, only vote totals shall be indicated on the
20 display boards and printed in the journal.

21 In the event the electronic voting system is not
22 in operating order, the president shall direct the
23 secretary of the senate to take the non-record or
24 record roll call by calling the names of the senators
25 in alphabetical order.

26 Rule 23

27 Duty of Voting

28 Every senator present when a question is put shall
29 vote “~~aye~~” “yea”, “no”, or “present” unless previously
30 excused by the senate. Upon demand being made by any

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1 senator, the secretary of the senate shall call in
2 alphabetical order the names of the senators not voting
3 or voting “present”. Those senators called shall
4 vote “~~aye~~” “yea” or “no” unless the senator states a
5 personal interest in the question or concludes that he
6 or she should not vote under the senate code of ethics.

7 Rule 24

8 Reconsideration

9 When a main motion has been decided by the senate,
10 any senator having voted on the prevailing side
11 may move to reconsider the vote on the same or next
12 legislative day. Motions to reconsider the vote on a
13 bill or resolution shall be in writing and filed with
14 the secretary of the senate.
15 Notwithstanding any time limitations applicable
16 to motions to reconsider main motions, a motion to
17 reconsider the vote on an amendment may be made at
18 any time before final disposition of the motion to
19 be amended. Such motion shall be in writing and
20 filed with the secretary of the senate. A motion to
21 reconsider an amendment to a main motion shall be taken
22 up for consideration only prior to the disposition of
23 the main motion or upon reconsideration of the main
24 motion.
25 A constitutional majority by a record roll call is
26 necessary to reconsider a bill or joint resolution.
27 During three legislative days from the date the motion
28 to reconsider a bill or resolution is filed, only the
29 mover may call it up. Thereafter, any senator may call
30 up the motion. If a date for adjournment has been set

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1 by resolution of the senate, any senator may call up
2 a motion to reconsider at any time within three days
3 prior to the date set for adjournment.
4 If the motion to reconsider a bill or resolution
5 prevails, motions to reconsider amendments thereto
6 shall be in order and shall be disposed of without
7 delay.
8 A motion that any action taken by the senate be
9 reconsidered and the motion to reconsider be laid upon
10 the table shall be a single and indivisible motion,
11 known as the double-barreled motion, which, if carried,
12 shall have the effect of preventing reconsideration
13 unless a motion to take from the table prevails.
14 A constitutional majority is necessary for the
15 double-barreled motion to prevail on a bill or joint
16 resolution. The double-barreled motion can only be
17 made from the floor after the vote is announced and the
18 member who moved the final reading shall have priority
19 in making it.
20 A motion to reconsider and lay on the table shall
21 have priority over a motion to reconsider if they are
22 both filed on the same legislative day.
23 In the event that a motion to reconsider is pending
24 at the end of the first session or any extraordinary
25 session of any general assembly, or the general
26 assembly adjourns sine die, and the motion has not been
27 voted upon by the senate, it shall be determined to

28 have failed.

29 Rule 25

30 Suspension of Rules and Taking from Table

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1 No standing rule or rules incorporated by reference
2 under Rule 3 or order of the senate shall be rescinded
3 or suspended, nor shall any matter, tabled upon
4 motion, be taken up, except by an affirmative vote of a
5 constitutional majority of the senate.

6 INTRODUCTION AND FORM OF BILLS

7 Rule 26

8 Time and Method of Introducing Bills and Amendments

9 All bills to be introduced in the senate shall be
10 typed in proper form by the legislative services agency
11 and shall be filed with the recording clerk.

12 All amendments shall be typed in proper form and
13 filed with the recording clerk not later than 4:30
14 p.m., or adjournment, whichever is later, in order to
15 be listed in the following day's clip sheet.

16 An "impact amendment" is an amendment which
17 reasonably could have an annual effect of at least one
18 hundred thousand dollars or a combined total effect
19 within five years after enactment of five hundred
20 thousand dollars or more on the aggregate revenues,
21 expenditures or fiscal liability of the state or its
22 subdivisions.

23 An impact amendment to a bill which has been on
24 the calendar for at least three full legislative days
25 prior to its consideration shall not be taken up by the
26 senate unless:

27 1. a fiscal note is attached, and the amendment is
28 filed at least one legislative day prior to the date
29 set for consideration of the bill; or

30 2. the amendment is an appropriation or other

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1 measure where the total effect is stated in dollar
2 amounts.

3 Rule 27

4 Limit on Introduction of Bills

5 No bill or joint resolution, except bills and
6 joint resolutions cosponsored by the majority and
7 minority floor leaders, or companion bills and joint
8 resolutions sponsored by the majority floor leaders of
9 both houses, shall be introduced in the senate after
10 4:30 p.m. on Friday of the fifth week of the first
11 regular session of a general assembly unless a formal
12 request for drafting the bill has been filed with the
13 legislative services agency before that time. After

14 adjournment of the first regular session, bills may
15 be prefiled at any time before the convening of the
16 second regular session. No bill shall be introduced
17 after 4:30 p.m. on Friday of the second week of the
18 second regular session of a general assembly unless a
19 formal request for drafting the bill has been filed
20 with the legislative services agency before that time.
21 However, standing committees may introduce bills and
22 joint resolutions at any time. A bill which relates
23 to departmental rules sponsored by the administrative
24 rules review committee and approved by a majority
25 of the members of the committee in each house may
26 be introduced at any time and must be referred to a
27 standing committee which must take action on the bill
28 within three weeks. Senate and concurrent resolutions
29 may be introduced at any time.
30 No bill, joint resolution, concurrent resolution

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1 or senate resolution shall be introduced at any
2 extraordinary session unless sponsored by a standing
3 committee, the majority and minority floor leaders, or
4 the committee of the whole.

5 Rule 28

6 Introduction, Reading, and Form of Bills and
7 Resolutions

8 Every senate bill and resolution shall be introduced
9 by one or more senators or by any standing committee
10 of the senate and shall at once be given its first
11 reading.

12 If the senate is in session when a bill or
13 resolution is introduced, the first reading shall
14 consist of reading its file number, the title and
15 sponsor of the bill. If the senate is not in session
16 but a journal is published for the day, the first
17 reading shall consist of a journal entry of the bill's
18 file number, title, sponsor and the notation "Read
19 first time under Rule 28".

20 Any bill or resolution approved for introduction by
21 a standing committee during an interim period between
22 sessions of one General Assembly shall be introduced
23 without further action by the committee at the next
24 succeeding regular session of the same General Assembly
25 and placed immediately upon the regular calendar.

26 Every bill and resolution referred to committee
27 shall have received two readings before its passage.

28 The subject of every bill shall be expressed in its
29 title.

30 Rule 29

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1 Explanations

2 No bill, except appropriation committee bills and
3 simple or concurrent resolutions, shall be introduced
4 unless a concise and accurate explanation is attached.
5 The chief sponsor or a committee to which the bill has
6 been referred may add a revised explanation at any time
7 before the last reading, and it shall be included in
8 the daily clip sheet.

9 Rule 30

10 Resolutions

11 A "senate resolution" is a resolution acted upon
12 only by the senate which relates to an accomplishment
13 of national or international status; the dedication
14 of a day by a statewide or national group; the
15 one hundredth, one hundred twenty-fifth, or one
16 hundred fiftieth anniversary of a local government
17 or organization; the recognition of state ties to
18 other governments; the retirement of a senator
19 or long-time senate employee; or to rules and
20 administrative matters, including the appointment
21 of special committees, within the senate. A senate
22 resolution requires the affirmative vote of a majority
23 of the senators present and voting, unless otherwise
24 required in these rules. A senate resolution shall
25 be filed with the secretary of the senate. A senate
26 resolution shall be printed in the bound journal after
27 its adoption and in the daily journal upon written
28 request to the secretary of the senate by the sponsor
29 of the resolution. Other expressions of sentiment
30 or recognition may be made with the issuance of a

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1 certificate of recognition.

2 Rule 31

3 Nullification Resolutions

4 A nullification resolution may be introduced
5 by a standing committee, the administrative rules
6 review committee, or any member of the senate.
7 A nullification resolution introduced by the
8 administrative rules review committee or a member
9 of the senate shall be referred to the same standing
10 committee it would be referred to if it was a bill.

11 Any nullification resolution may be referred to the
12 administrative rules review committee by a majority
13 vote of the standing committee which introduced it
14 or to which it was referred. The administrative
15 rules review committee may seek an agreement with the
16 affected administrative agency wherein the agency
17 agrees to voluntarily rescind or modify a rule or rules

18 relating to the subject matter of the nullification
19 resolution. An agreement to voluntarily rescind
20 or modify an administrative agency rule shall be in
21 writing and signed by the chief administrative officer
22 of the administrative agency and a majority of the
23 administrative rules review committee members of each
24 house and shall be placed on file in the offices of
25 the chief clerk of the house, the secretary of the
26 senate, and the secretary of state. If an agreement
27 is not reached, or the nullification resolution is
28 not approved by a majority of the administrative rules
29 review committee members of each house, within two
30 weeks of the date the resolution is referred to the

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1 administrative rules review committee, the resolution
2 shall be placed on the calendar. If the nullification
3 resolution is approved by the administrative rules
4 review committee it shall be placed on the calendar.
5 A nullification resolution is subject to a motion to
6 withdraw the nullification resolution as provided in
7 rule 42.
8 A nullification resolution is debatable, but cannot
9 be amended on the floor of the senate.
10 Rule 32
11 Resolutions, Applicable Rules
12 All rules applicable to bills shall apply to
13 resolutions, except as otherwise provided in the rules.
14 Rule 33
15 Study Bills
16 1. A study bill is any matter which a senator
17 wishes to have considered by a standing committee or
18 appropriations subcommittee for introduction as a
19 committee bill or resolution. The term "study bill"
20 includes "proposed bills" provided for in Rule 37 and
21 departmental requests prefiled in the manner specified
22 in section 2.16 of the Code.
23 2. A study bill shall bear the name of the member
24 who wishes to have the bill considered. A study bill
25 proposed by a state agency shall bear the name of the
26 agency. A committee chair may submit a study bill in
27 the name of that committee.
28 3. Upon first receiving a study bill from a
29 senator, a committee chairperson shall submit three
30 copies to the secretary of the senate. Study bills

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1 received in the secretary of the senate's office before
2 3:00 p.m. shall be filed, numbered, and reported in
3 the journal for that day. Study bills received in the

4 secretary of the senate's office after 3:00 p.m. shall
5 be filed, numbered, and reported in the journal for the
6 subsequent day. The secretary shall number such bills
7 in consecutive order. The secretary shall maintain a
8 record of all study bills and their assigned number.
9 Committee records shall refer to study bills by the
10 number assigned by the secretary.

11 4. The secretary shall file a report in the journal
12 of each study bill received. The report shall show
13 the study bill number, its title or subject matter,
14 and the committee which is considering it. If a study
15 bill is referred to a subcommittee, then the committee
16 chairperson shall report in the journal the names of
17 the subcommittee members to which it is assigned.

18 5. A study bill not prepared by the legislative
19 services agency may be submitted to a standing
20 committee, but shall not be considered by the full
21 committee unless reviewed and typed in proper form by
22 the legislative services agency.

23 COMMITTEES AND COMMITMENT

24 Rule 34

25 Committee Appointments

26 Committee appointments shall be made by the majority
27 leader for members of the majority, after consultation
28 with the president, and by the minority leader for
29 members of the minority, after consultation with
30 the president. No senator shall serve on more than

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1 six standing committees. The majority leader, after
2 consultation with the president, shall designate the
3 chairperson and vice-chairperson of each standing
4 committee. The minority leader, after consultation
5 with the president, shall designate the ranking member
6 of each standing committee from the minority membership
7 of that committee.

8 Rule 35

9 Standing Committees

10 The names of the standing committees of the senate
11 shall be:

12 Agriculture

13 Appropriations

14 Commerce

15 Education

16 Government Oversight

17 Human Resources

18 Judiciary

19 Labor and Business Relations

20 Local Government

21 Natural Resources and Environment

22 Rules and Administration

23 State Government
24 Transportation
25 Veterans Affairs
26 Ways and Means
27 Rule 36
28 Committee on Rules and Administration
29 The committee on rules and administration shall
30 recommend rules and rule changes to the senate, shall

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1 hire senate employees, shall recommend salary scales
2 for all senate employees, and shall oversee senate
3 budget and administration matters.
4 The committee on rules and administration will
5 select, for senate approval, an individual to serve as
6 secretary of the senate.
7 The committee shall have the following standing
8 subcommittees:
9 1. Joint Rules
10 2. Senate Rules
11 3. Administrative Services
12 4. Caucus Services
13 The majority leader shall serve as chair of the
14 rules and administration committee and as chair of
15 the standing subcommittee on caucus services. The
16 president of the senate shall serve as vice-chair of
17 the rules and administration committee, and as chair of
18 the subcommittee on administrative services.
19 Rule 37
20 Appropriations Committee
21 The appropriations committee shall receive bills
22 committed to it and shall assign each to one of the
23 appropriations subcommittees.
24 The appropriations subcommittees shall be named:
25 Administration and Regulation
26 Agriculture and Natural Resources
27 Economic Development
28 Education
29 Health and Human Services
30 Justice System

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1 Transportation, Infrastructure, and Capitals
2 The appropriations subcommittees shall receive
3 bills assigned to them or may originate proposed bills
4 within the subcommittee's jurisdiction as defined by
5 the appropriations committee for consideration by the
6 appropriations committee. Each subcommittee may submit
7 amendments to bills together with the subcommittee's
8 recommended action to the appropriations committee.

9 If a bill or proposed bill is submitted to the
10 appropriations committee by an appropriations
11 subcommittee the appropriations committee may:
12 1. report the bill or approve the proposed bill for
13 introduction by the appropriations committee;
14 2. report the bill with any appropriations
15 committee-approved amendments incorporated;
16 3. draft a new bill for sponsorship by the
17 appropriations committee and report it; or
18 4. re-refer it together with the appropriations
19 committee's objections to the appropriations
20 subcommittee from which it was originally referred or
21 which originated the draft bill.
22 The appropriations committee and subcommittees may
23 meet jointly with the appropriations committee of the
24 house of representatives.
25 Rule 38
26 First Reading and Commitment
27 Upon the first reading of an individual bill or
28 resolution, or a house committee bill or resolution,
29 the president shall refer the bill or resolution to
30 an appropriate standing committee. If the bill or

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1 resolution is a senate committee bill or resolution,
2 the president shall place it on the calendar after
3 its first reading. If the subject of the bill or
4 resolution is not germane to the title of the committee
5 presenting it, the president of the senate may refer it
6 to a committee deemed appropriate.
7 All bills carrying an appropriation for any purpose
8 or involving the expenditure of state funds shall be
9 referred to the committee on appropriations.
10 All bills pertaining to the levy, assessment or
11 collection of taxes or fees shall be referred to the
12 committee on ways and means.
13 Any bill which provides for a new state board,
14 commission, agency, or department or makes separate or
15 autonomous an existing state board, commission, agency,
16 or department, shall be referred to the committee
17 on state government. If the bill or resolution is
18 so referred after being sponsored or reported out
19 by another committee, and if the committee on state
20 government does not report out the bill or resolution
21 within ten legislative days after referral, the bill
22 or resolution shall automatically be restored to the
23 calendar with the same priority it had immediately
24 before referral.
25 This rule shall also apply when such provisions are
26 added to a bill or resolution by amendment adopted by
27 the senate.

- 28 Rule 39
29 Rules for Standing Committees
30 The following rules shall govern all standing

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1 committees of the senate. Any committee may adopt
2 additional rules which are consistent with these rules:
3 1. A majority of the members shall constitute a
4 quorum.
5 2. The chair of a committee shall refer each bill
6 and resolution to a subcommittee within seven days
7 after the bill or resolution has been referred to
8 the committee. The chair may appoint subcommittees
9 for study of bills and resolutions without calling a
10 meeting of the committee, but the subcommittee must
11 be announced ~~at the next meeting of the committee by~~
12 placing notice in the journal. No bill or resolution
13 shall be reported out of a committee until the next
14 meeting after the subcommittee is announced, except
15 that the chair of the appropriations committee may make
16 the announcement of the assignment to a subcommittee by
17 placing a notice in the journal. Any bill so assigned
18 by the appropriations committee chair shall be eligible
19 for consideration by the committee upon report of the
20 subcommittee ~~but not sooner than three legislative days~~
21 ~~following the publication of the announcement in the~~
22 ~~journal~~.
23 When a bill or resolution has been assigned to a
24 subcommittee, the chair shall report to the senate
25 the bill or resolution number and the names of the
26 subcommittee members and such reports shall be reported
27 in the journal. Subcommittee assignments shall be
28 reported to the journal daily. Reports filed before
29 3:00 p.m. shall be printed in the journal for that day;
30 reports filed after 3:00 p.m. shall be printed in the

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1 journal for the subsequent day.
2 Where standing subcommittees of any committee have
3 been named, the names of the members and the title of
4 the subcommittee shall be published once and thereafter
5 publication of assignments may be made by indicating
6 the title of the subcommittee.
7 3. No bill or resolution shall be considered by a
8 committee until it has been referred to a subcommittee,
9 the subcommittee has held a public meeting, and the
10 subcommittee has made its report unless otherwise
11 ordered by a majority of the members.
12 4. The rules adopted by a committee, including
13 subsections 2, 3, 9, 10, 11, and 12 of this rule, may

14 be suspended by an affirmative vote of a majority of
15 the members of the committee.

16 5. The affirmative vote of a majority of the
17 members of a committee is needed to sponsor a committee
18 bill or resolution or to report a bill or resolution
19 out for passage.

20 6. The vote on all bills and resolutions shall be
21 by roll call unless a short-form vote is unanimously
22 agreed to by the committee. A record shall be kept by
23 the secretary.

24 7. No committee, ~~except a conference committee,~~
25 is authorized to meet when the senate is in session.
26 This rule does not apply to conference committees or
27 subcommittees.

28 8. A subcommittee shall not report a bill to the
29 committee unless the bill has been typed into proper
30 form by the legislative services agency.

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1 9. A bill or resolution shall not be voted upon the
2 same day a public hearing called under subsection 10 is
3 held on that bill or resolution.

4 10. Public hearings may be called at the discretion
5 of the chair. The chair shall call a public hearing
6 upon the written request of one-half the membership of
7 the committee. The chair shall set the time and place
8 of the public hearing.

9 11. A subcommittee chair must notify the committee
10 chair not later than one legislative day prior to
11 bringing the bill or resolution before the committee.
12 The committee cannot vote on a bill or resolution for
13 at least one full day following the receipt of the
14 subcommittee report by the chairperson.

15 12. A motion proposing action on a bill or
16 resolution that has been defeated by a committee shall
17 not be voted upon again at the same meeting of the
18 committee.

19 13. Committee meetings and subcommittee meetings
20 shall be open.

21 Rule 40

22 Voting in Committee

23 All committee meetings shall be open at all times.

24 Voting by secret ballot is prohibited. Roll call votes
25 shall be taken in each committee when final action on
26 any bill or resolution is voted, unless a short-form
27 vote is unanimously agreed to by the committee. A roll
28 call vote also shall be taken in each committee at the
29 request of a member upon any amendment or motion. All
30 results shall be entered in the minutes which shall be

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1 public records. Records of these votes shall be made
2 available by the chair or the committee secretary at
3 any time. This rule also applies to the appropriations
4 subcommittees.
5 The committee shall not authorize the introduction
6 of a committee bill or resolution until the members
7 have received final copies of the bill or resolution
8 with amendments or changes incorporated, and typed
9 into proper form by the legislative services agency.
10 The committee may, by unanimous consent, dispense with
11 this requirement and instruct the legislative services
12 agency to file a report with the committee members
13 detailing the amendments or changes and this report
14 shall become a part of the committee report.
15 Rule 41
16 Announcement of Committee Meetings
17 It shall be in order for the chair of any committee
18 to announce to the senate the time and place of
19 committee meetings. The announcement shall include a
20 proposed agenda for the meeting. The sergeant-at-arms
21 shall post at the rear of the chamber the daily
22 schedule of committee meetings.
23 Rule 42
24 Withdrawal of Bills and Resolutions from Committee
25 The secretary of the senate shall note on each bill
26 and resolution the date of its reference to committee.
27 No bill or resolution shall be withdrawn from any
28 committee within fifteen legislative days after the
29 bill or resolution has been referred to the committee
30 and thereafter only upon written petition for the

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1 withdrawal of such bill or resolution signed by a
2 constitutional majority of the senators, except as
3 provided in Rule 38. Only senators may circulate such
4 a petition.
5 Rule 43
6 Committee Reports
7 1. All committees shall file a report of committee
8 meetings. Such reports shall contain the following
9 information:
10 a. The time the meeting convened;
11 b. Those senators who were present and absent at
12 the time the meeting convened, as well as the time any
13 senator, who was not present at the time the meeting
14 convened, arrives for the meeting;
15 c. The vote on any bill or resolution reported out
16 of the committee for floor action;
17 d. The title of the bill;

- 18 e. The file number of the bill or resolution (if
19 known);
20 f. Whether the committee recommends that the
21 bill or resolution be passed, amended and passed,
22 indefinitely postponed, or considered without committee
23 recommendation;
24 g. An indication of other bills or matters
25 discussed;
26 h. Such other matters as the committee chair shall
27 direct; and
28 i. The time the meeting adjourned.
29 2. No committee report shall be read, but all
30 committee reports shall be printed in the journal.

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- 1 Upon printing, all committee reports shall then stand
2 approved unless the senate directs otherwise.
3 Rule 44
4 Bills or Resolutions Recommended for Indefinite
5 Postponement
6 No senate bill or resolution recommended for
7 indefinite postponement shall be considered in the
8 absence of the chief sponsor or, if a house bill or
9 resolution, in the absence of the senator representing
10 the district in which the sponsor resides. When a
11 question is postponed indefinitely, it shall not be
12 again acted upon during that session of the general
13 assembly.
14 GENERAL RULES
15 Rule 45
16 Access to Senate Chamber and Decorum
17 The persons who shall have access to the senate
18 chamber, and the times access shall be available, and
19 the rules governing activities in the chamber and other
20 areas controlled by the senate shall be as prescribed
21 by the rules and administration committee pursuant to a
22 written policy adopted by the committee and filed with
23 the secretary of the senate.
24 Rule 46
25 Legislative Interns and Aides
26 Legislative interns for senators shall be allowed
27 on the floor of the senate in accordance with Rule 45;
28 provided that each intern first has obtained a name
29 badge from the secretary of the senate. The secretary
30 of the senate shall issue an appropriate badge to all

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- 1 interns for senators.
2 Rule 47
3 Clearing of Lobby and Gallery

4 In case of disturbance or disorderly conduct in the
5 lobby or gallery, the presiding officer may order it
6 cleared.
7 Rule 48
8 Presentation of Petitions
9 Each petition shall contain a brief statement of its
10 subject matter and the name of the senator presenting
11 it. Petitions shall be filed with the secretary of the
12 senate and noted in the journal.
13 Rule 49
14 Distribution of Printed Material
15 No general distribution of printed material in
16 the senate shall be allowed unless authorized by the
17 secretary of the senate or by a senator.
18 Rule 50
19 Concerning the Printing of Papers
20 Any paper, other than that contemplated by Section
21 10, Article III of the Constitution of the State of
22 Iowa, presented to the senate may, with the consent of
23 a constitutional majority, be printed in the journal.
24 Rule 51
25 Reprinting of Documents
26 When any bill has been substantially amended by the
27 senate, the secretary of the senate shall order the
28 bill reprinted on paper of a different color. All
29 adopted amendments inserting new material shall be
30 distinguishable.

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1 The secretary of the senate may order the printing
2 of a reasonable number of additional copies of bills,
3 resolutions, amendments, or journals.
4 OFFICERS AND EMPLOYEES
5 Rule 52
6 Duties of the President
7 The senate shall elect, from its membership, a
8 president. The president shall call the senate to
9 order at the hour to which the senate is adjourned and
10 shall proceed with the regular order of daily business.
11 The president shall preserve order and decorum and
12 decide all questions of order and corrections to the
13 journal. The president shall direct voting as provided
14 in rule 22. When a ruling on whether an amendment
15 is or is not germane is issued, the ruling shall be
16 accompanied by an explanation. The president of the
17 senate shall be the chair of the committee of the whole
18 unless otherwise ordered by the senate, under rule 19.
19 Upon the first reading of an individual bill or
20 resolution, or a house committee bill or resolution,
21 the president shall refer the bill or resolution to
22 the appropriate standing committee. If the bill or

23 resolution is a senate committee bill or resolution,
24 the president shall place it on the calendar after
25 its first reading. If the subject of the bill or
26 resolution is not germane to the title of the committee
27 presenting it, the president of the senate may refer it
28 to the appropriate committee.
29 The president shall sign legislative enactments upon
30 their enrolling.

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1 The president of the senate shall serve as a member
2 of the legislative council and the senate rules and
3 administration committee. The president shall serve
4 on the rules and administration committee as chair of
5 the standing subcommittee designated to supervise the
6 secretary of the senate and other employees of the
7 administrative services division of the senate.

8 Rule 53

9 The President Pro Tempore

10 The senate shall elect, from its membership, a
11 president pro tempore. When the president is absent,
12 the president pro tempore shall preside, except when
13 the chair is filled by temporary appointment by the
14 president or the majority leader.

15 The president pro tempore, when presiding, shall
16 perform duties as prescribed in rule 52, paragraphs 1
17 and 2.

18 The president pro tempore shall serve as a member of
19 the legislative council and as a member of the senate
20 committee on rules and administration.

21 Rule 54

22 Secretary of the Senate

23 The secretary of the senate shall be a nonpartisan
24 officer of the senate and shall:

25 1. Serve as chief administrative officer of the
26 senate.

27 2. Have charge of the secretary's desk.

28 3. Be responsible for the custody and safekeeping
29 of all bills, resolutions, and amendments filed, except
30 while they are in the custody of a committee.

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1 4. Have charge of the daily journal.

2 5. Have control of all rooms assigned for the use
3 of the senate.

4 6. Keep a detailed record of senate action on all
5 bills and resolutions.

6 7. Insert adopted amendments into bills before
7 transmittal to the house of representatives and prior
8 to final enrollment.

- 9 8. ~~Prescribe~~ With the exception of caucus employees
10 and employees directly serving the majority leader,
11 the president of the senate, and the minority leader,
12 prescribe the duties of and supervise all senate
13 employees.
- 14 9. Authorize all expenditures of funds within the
15 senate budget.
- 16 10. The secretary of the senate shall also act as
17 senate parliamentarian and shall:
- 18 a. Advise the presiding officer of the senate
19 about parliamentary procedures during deliberations of
20 the senate.
- 21 b. Perform other duties as prescribed by the
22 committee on rules and administration.
- 23 c. Process the handling of amendments when filed
24 and during the floor consideration of bills.
- 25 Rule 55
- 26 Legal Counsel
- 27 The legal counsel shall be the secretary of the
28 senate or a contractual employee of the senate and
29 shall:
- 30 1. Serve as attorney and counselor for the senate.

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- 1 2. At the request of the majority or minority
2 leaders, research any legal issue in which the senate
3 has an interest. However, the legal counsel shall not
4 issue nor venture any opinions on unresolved questions
5 of law unless permitted by both the majority and
6 minority leaders.
- 7 Rule 56
- 8 Sergeant-at-Arms
- 9 The sergeant-at-arms shall be an employee of the
10 senate and shall:
- 11 1. Wear the appropriate badge of his or her office.
- 12 2. Attend the senate during its sessions.
- 13 3. Aid in the enforcement of order under the
14 direction of the president of the senate and the
15 secretary of the senate.
- 16 4. Execute the commands of the senate.
- 17 5. See that no unauthorized person disturbs the
18 contents of the senators' desks.
- 19 6. Supervise the doorkeepers, the assistant
20 sergeant-at-arms, and pages.
- 21 7. Announce all delegations from the governor or
22 house.
- 23 8. Supervise the seating of visitors and press
24 representatives.
- 25 Rule 57
- 26 Senate Secretaries
- 27 Every senator shall be permitted to employ for each

28 session of a general assembly a personally selected
29 secretary.
30 Rule 58

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1 Use of Electronic Voting System
2 Any officer or employee of the senate, other than
3 a duly elected member of the senate, who operates the
4 electronic voting machine mechanism located at the
5 desk of said member of the senate shall be subject to
6 immediate termination from employment. The provisions
7 of this paragraph shall not apply to the use of the
8 page bell or to testing of the electronic voting
9 system.
10 CONFIRMATION OF APPOINTMENTS
11 Rule 59
12 Appointments
13 The secretary of the senate shall:
14 a. send, to each appointee submitted by the
15 governor for senate confirmation, a copy of a
16 senate questionnaire as approved by the rules and
17 administration committee;
18 b. receive completed questionnaires from appointees
19 and forward copies of the completed questionnaires to
20 appropriate committee members; and
21 c. maintain "Confirmation Calendar" categories
22 on the senate calendar as directed under this rule,
23 ~~senate~~ rule 6, and by the committee on rules and
24 administration. No appointee shall be listed as
25 eligible on the confirmation calendar until the
26 secretary has received the appointee's completed senate
27 questionnaire.
28 As soon as possible after the convening of a
29 session, and again within one week following March
30 1, the secretary of the senate shall publish in the

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1 senate journal the names of all nominees submitted
2 for confirmation. The secretary of the senate shall
3 maintain a file of all appointments received from the
4 governor for confirmation. The file shall contain
5 a description of the duties and the compensation
6 for each nominee. The file shall show the date an
7 appointment was received from the governor, the date
8 the appointment was published in the journal, whether
9 the nominee has been introduced, whether a committee
10 report has been filed, when the senate questionnaire
11 was sent to the appointee, and shall include a copy of
12 the appointee's completed senate questionnaire, upon
13 receipt.

14 INVESTIGATING COMMITTEES. All appointments
15 received from the governor shall be referred to the
16 rules and administration committee by the secretary
17 of the senate on the same day they are published in
18 the senate journal. The rules and administration
19 committee shall establish an en bloc confirmation
20 calendar which must be filed with the secretary of
21 the senate. Within three (3) legislative days after
22 receiving an appointment, the committee shall either
23 place a nominee on the en bloc confirmation calendar
24 or assign the nominee to an appropriate standing
25 committee for further investigation, publishing notice
26 of such assignment in the senate journal for the next
27 legislative day. If the rules and administration
28 committee fails to take action on a nominee within
29 the three (3) legislative days, the nominee shall
30 automatically be placed on the en bloc confirmation

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1 calendar.
2 Within the three (3) legislative days after an
3 appointment has been referred to the rules and
4 administration committee, any ten senators may require
5 that the nominee be assigned to an appropriate standing
6 committee by filing a written, signed request therefor
7 with the chairperson of the rules and administration
8 committee. The committee chair shall refer the
9 appointment to a subcommittee within ~~one (1)~~ three
10 (3) legislative ~~day~~ days after a standing committee
11 receives an appointment for further investigation,
12 publishing notice of such assignment in the senate
13 journal for the next legislative day. Within ten (10)
14 legislative days after a standing committee receives an
15 appointment for further investigation the subcommittee
16 shall file its report with the standing committee.
17 Within fourteen (14) legislative days after a
18 standing committee receives an appointment for
19 further investigation, the committee shall conduct
20 an investigation of the nominee and file its report
21 thereon with the secretary of the senate, who shall
22 then place the nominee on the en bloc calendar or
23 individual confirmation calendar as directed by
24 the committee. The failure of a committee to file
25 its report within the prescribed time means that
26 the nominee is to be automatically placed, without
27 recommendation, upon the individual confirmation
28 calendar.
29 Any individual nominated to head a department or
30 agency of state government, whose appointment is

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1 subject to senate confirmation, must be introduced
2 to the full senate prior to a vote on confirmation
3 of the nominee. Additionally, any five (5) senators
4 may request that any nominee be introduced to the
5 senate by filing a written request with the secretary
6 of the senate within ten (10) legislative days of
7 the nominee's name appearing in the journal. Any
8 individual nominated to a position requiring senate
9 confirmation may request to be introduced to the
10 full senate by notifying the secretary of the senate
11 at least one (1) legislative day in advance of the
12 nominee's appearance. If an individual is nominated
13 both to fill a vacancy for an unexpired term and is
14 also nominated for reappointment to that position
15 during the same session, a single introduction is
16 sufficient for eligibility for confirmation to both
17 terms.

18 HEARINGS. Any member of a committee investigating
19 an appointment may, within five (5) legislative days
20 after the committee receives the appointment, obtain
21 a hearing with the nominee by filing a written request
22 with the secretary of the senate who shall forward it
23 to the chair of the standing committee and the chair
24 of the subcommittee. Notice of the hearing shall be
25 published in the journal at least two (2) legislative
26 days prior to the hearing. At the hearing, which
27 shall be before the subcommittee, the nominee may be
28 questioned as to his or her qualifications to fulfill
29 the office to which nominated and further questioned
30 as to his or her viewpoints on issues facing the office

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1 to which nominated. Any senator may at the discretion
2 of the chair of the subcommittee be permitted to submit
3 oral questions. The public may, at the discretion of
4 the investigating committee, be permitted to submit
5 oral or written statements as to the qualifications of
6 the nominee.

7 Also, within five (5) legislative days after the
8 subcommittee receives an appointment for investigation,
9 any senator may submit written questions to be answered
10 by the nominee prior to consideration of the nominee's
11 confirmation by the senate.

12 INFORMATIONAL MEETINGS. After a nominee has
13 been placed on the calendar and prior to the vote on
14 confirmation, any senator may request an informational
15 meeting on the nomination which shall be held before
16 the subcommittee.

17 VOTING ON CONFIRMATIONS. Appointments received

18 from the governor for senate confirmation during any
19 session of a general assembly shall be acted upon ~~prior~~
20 ~~to adjournment of that session~~ by April 15 as provided
21 by section 2.32 of the Code. Upon the motion of the
22 majority leader or his or her designee, the nominees on
23 the en bloc confirmation calendar shall be confirmed
24 en bloc by the affirmative vote of two-thirds of the
25 members elected to the senate. The journal shall
26 reflect a single roll call accompanied by a statement
27 of the names of those individuals subject to the en
28 bloc confirmation vote.
29 Prior to an en bloc vote, any senator may request,
30 either in writing or from the floor, an individual vote

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1 on any nominee on the en bloc confirmation calendar.
2 The senate shall vote separately on the nominee.
3 Nominees on the individual confirmation calendar
4 shall be confirmed by a two-thirds vote; however, the
5 senate shall take a separate roll call on each nominee,
6 unless by unanimous consent, it determines to take one
7 vote on all nominees under consideration. In any case,
8 the journal shall reflect a single roll call vote for
9 each nominee.
10 If an individual is nominated both to fill a vacancy
11 for an unexpired term and is also nominated for
12 reappointment to that position, and such appointment
13 and reappointment appear on the senate calendar as
14 eligible at the same time, a single vote is sufficient
15 for confirmation to both terms.

16 Rule 60

17 Time of Committee Passage and Consideration of Bills

18 1. This rule does not apply to concurrent or
19 simple resolutions, joint resolutions nullifying
20 administrative rules, senate confirmations, bills
21 embodying redistricting plans prepared by the
22 legislative services agency pursuant to chapter
23 42, or bills passed by both houses in different
24 forms. Subsection 2 of this rule does not apply to
25 appropriations bills, ways and means bills, government
26 oversight bills, legalizing acts, administrative
27 rules review committee bills, bills sponsored by
28 standing committees in response to a referral from
29 the president of the senate or the speaker of the
30 house of representatives relating to an administrative

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1 rule whose effective date has been delayed or whose
2 applicability has been suspended until the adjournment
3 of the next regular session of the general assembly

4 by the administrative rules review committee, bills
5 cosponsored by the majority and minority floor leaders
6 of the senate, bills in conference committee, and
7 companion bills sponsored by the majority floor leaders
8 of both houses after consultation with the respective
9 minority floor leaders. For the purposes of this rule,
10 a joint resolution is considered as a bill. To be
11 considered an appropriations or ways and means bill for
12 the purposes of this rule, the appropriations committee
13 or the ways and means committee must either be the
14 sponsor of the bill or the committee of first referral
15 in the senate.

16 2. To be placed on the calendar in the senate a
17 senate bill must be first reported out of a standing
18 committee by Friday of the 8th week of the first
19 session and the ~~8th~~ 6th week of the second session. A
20 house bill must be first reported out of a standing
21 committee by Friday of the 12th week of the first
22 session and the ~~11th~~ 10th week of the second session to
23 be placed on the senate calendar.

24 3. During the 10th week of the first session and
25 the ~~9th~~ 7th week of the second session, the senate
26 shall consider only bills originating in the senate and
27 unfinished business. During the 13th week of the first
28 session and the ~~12th~~ 11th week of the second session,
29 the senate shall consider only bills originating in the
30 house and unfinished business. Beginning with the 14th

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1 week of the first session and the ~~13th~~ 12th week of the
2 second session, the senate shall consider only bills
3 passed by both houses, bills exempt from subsection 2,
4 and unfinished business.

5 4. A motion to reconsider filed and not disposed
6 of on an action taken on a bill or resolution which is
7 subject to a deadline under this rule may be called up
8 at any time before or after the day of the deadline by
9 the person filing the motion or after the deadline by
10 the majority floor leader, notwithstanding any other
11 rule to the contrary.

12 BE IT FURTHER RESOLVED, That should a system of
13 deadlines for the time of committee passage and
14 consideration of bills be adopted by joint action
15 of the senate and house at any time during the
16 ~~eighty-seventh~~ eighty-eighth general assembly, those
17 provisions shall supersede the provisions of rule 60.

Senate Resolution 5: filed February 13, 2019; adopted by the Senate on March 4, 2019.

SENATE RESOLUTION 5

By Carlin

1 A Resolution congratulating the Morningside College
2 Mustangs football team on winning the National
3 Association of Intercollegiate Athletics National
4 Championship.
5 WHEREAS, in 2018, the Morningside College Mustangs
6 football team had a 15-0 overall record and finished
7 the season ranked as the number one team in the
8 National Association of Intercollegiate Athletics; and
9 WHEREAS, on December 15, 2018, the Mustangs won
10 the National Association of Intercollegiate Athletics
11 National Championship at Daytona Stadium in Daytona
12 Beach, Florida, defeating Benedictine College for the
13 program's first national championship; and
14 WHEREAS, the Mustangs' accomplishment marks only the
15 sixth time that an Iowa college or university football
16 team has earned a national championship recognized by
17 the National Association of Intercollegiate Athletics
18 or the National Collegiate Athletic Association; NOW
19 THEREFORE,
20 BE IT RESOLVED BY THE SENATE, That the Senate
21 congratulates the coaches and members of the
22 Morningside College Mustangs football team on winning
23 the National Association of Intercollegiate Athletics
24 National Championship.

Senate Resolution 10: filed March 12, 2019; adopted by the Senate on March 14, 2019.

SENATE RESOLUTION 10

By Nunn

1 A Resolution honoring the peaceful kinship between
2 the peoples of Japan and the United States and
3 recognizing March 14, 2019, as Japan Day at the Iowa
4 State Capitol.
5 WHEREAS, Japan and the United States share an
6 economic partnership which is grounded in mutual
7 security and prosperity, balanced and fair, and which
8 supports thousands of jobs in both countries; and
9 WHEREAS, Japan and the United States share
10 a commitment to joint security and defense
11 partnerships; and
12 WHEREAS, the economic relationship between Japan and
13 the State of Iowa is especially vibrant as Japan is

14 Iowa's third-largest export market; and
15 WHEREAS, the State of Iowa enjoys a strong
16 sister-state relationship with Yamanashi Prefecture
17 dating back to Iowa's response to a devastating typhoon
18 that affected the prefecture in 1959; and
19 WHEREAS, Japan and the State of Iowa enjoy robust
20 and expanding ties based upon relationships and
21 exchanges in such areas as agriculture, innovation,
22 culture, sport, and academia; NOW THEREFORE,
23 BE IT RESOLVED BY THE SENATE, That the Senate honors
24 the long and rich history of friendship and economic
25 partnership between the citizens of the State of Iowa
26 and Japan; and
27 BE IT FURTHER RESOLVED, That in honor of our strong
28 and growing relationship, the Senate recognizes

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1 Thursday, March 14, 2019, as Japan Day at the Iowa
2 State Capitol.

Senate Resolution 11: filed March 13, 2019; adopted by the
Senate on March 19, 2019.

SENATE RESOLUTION 11
By Dawson

1 A Resolution recognizing the centennial of the
2 six-month formation period of the American Legion in
3 Iowa.
4 WHEREAS, the formation of the American Legion is
5 traditionally regarded as beginning with the Paris
6 caucus held in Paris, France, on March 15-17, 1919,
7 where Iowa was represented by two individuals, Sergeant
8 Thomas Rowe of the 42nd Infantry Division and Wagoner
9 Dale Shaw of the 88th Infantry Division; and
10 WHEREAS, in May 1919, two Iowans, Sergeant Charles
11 A. Doxsee of Monticello and Major H. H. Polk of Des
12 Moines represented Iowa on the planning committee for
13 the St. Louis caucus held in St. Louis, Missouri, on
14 May 8-10, 1919, where a delegation of 38 Iowans were
15 present; and
16 WHEREAS, the creation of the American Legion in
17 Iowa began with the appointment of John MacVicar as
18 temporary adjutant and the chartering of local posts
19 beginning on May 28, 1919; and
20 WHEREAS, the first Department Convention of the
21 American Legion in Iowa was held at the Hotel Fort
22 Des Moines, in Des Moines, Iowa, on September 4-5,
23 1919; and
24 WHEREAS, the United States Congress authorized the

25 issuance of a federal charter to the American Legion
26 on September 16, 1919; and
27 WHEREAS, the six-month period from March 15, 1919,
28 through September 16, 1919, can be described as the

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1 formation period of the American Legion in Iowa; and
2 WHEREAS, the centennial of the commencement of
3 that six-month formation period will begin in March
4 2019; NOW THEREFORE,
5 BE IT RESOLVED BY THE SENATE, That the Senate hereby
6 recognizes the centennial of the six-month formation
7 period of the American Legion in Iowa; and
8 BE IT FURTHER RESOLVED, That copies of this
9 Resolution be transmitted to Iowa Governor Kim Reynolds
10 for appropriate proclamation and execution and to
11 Iowa Secretary of State Paul Pate for appropriate
12 publication and preservation.

Senate Resolution 13: filed March 21, 2019; adopted by the
Senate on April 4, 2019.

SENATE RESOLUTION 13

By Nunn, Behn, Kinney, Edler, Kapucian, Dotzler, and
Johnson

1 A Resolution honoring and recognizing the special
2 relationship between Taiwan and the State of Iowa.
3 WHEREAS, the State of Iowa is proud of the
4 sister-state relationship it has enjoyed with Taiwan
5 since 1989, which is marked by strong bilateral trade,
6 educational and cultural exchanges, and tourism; and
7 WHEREAS, the United States ranks as Taiwan's
8 third-largest importer, and Taiwan is the United
9 States' 15th largest export destination, making Taiwan
10 the United States' 11th largest trading partner, with
11 total bilateral trade reaching \$68.8 billion as of
12 November 2018; and
13 WHEREAS, Taiwan and the State of Iowa have enjoyed
14 a long and mutually beneficial relationship and
15 anticipate continuing growth, with Taiwan ranking
16 as Iowa's 6th largest export destination in Asia as
17 of November 2018, with \$193.9 million worth of Iowa
18 goods shipped to Taiwan, including meat, soybeans, and
19 animal feeds; agricultural chemicals; and miscellaneous
20 manufactured commodities, including precision
21 instruments and avionics; and
22 WHEREAS, negotiating for a bilateral trade
23 agreement between Taiwan and the United States is an
24 important step toward further strengthening bilateral

25 trade between the State of Iowa and Taiwan, thereby
26 increasing Iowa's exports to Taiwan and creating
27 investment and technical collaboration through tariff

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1 reduction and other trade facilitation measures; and
2 WHEREAS, Taiwan has undertaken a policy of
3 "steadfast diplomacy" regarding international
4 relations and is capable of and willing to fulfill its
5 responsibilities and to collaborate with the world to
6 deal with the challenges of humanitarian aid, disease
7 control, and other important issues; NOW THEREFORE,
8 BE IT RESOLVED BY THE SENATE, That the Senate
9 memorializes the 30th anniversary of the Iowa-Taiwan
10 sister-state relationship and the 40th anniversary
11 of the United States Congress's enactment of the
12 Taiwan Relations Act; reaffirms its commitment to
13 strengthening the sister-state relationship between
14 Taiwan and the State of Iowa; and endorses Taiwan's
15 efforts to secure a favorable trade relationship with
16 the United States; and
17 BE IT FURTHER RESOLVED, That the Secretary of
18 the Senate is hereby directed to send copies of this
19 Resolution to the Taipei Economic and Cultural Office
20 in Chicago, Illinois.

Senate Resolution 15: filed March 28, 2019; adopted by the
Senate on April 1, 2019.

SENATE RESOLUTION 15
By Kraayenbrink

1 A Resolution commending Iowa Public Television on the
2 statewide educational network's 50th anniversary
3 and recognizing March 31, 2019, as Iowa Public
4 Television Day at the Iowa State Capitol.
5 WHEREAS, Governor Robert D. Ray signed into law
6 in 1969 legislation appropriating moneys for the
7 construction, equipping, administration, and operation
8 of the state's educational television network; and
9 WHEREAS, today Iowa Public Television is an Emmy
10 award-winning television network serving 2 million
11 viewers each month with four unique programming
12 channels, a 24 hours, seven days a week IPTV KIDS
13 livestream, and 36 million minutes viewed on IPTV's
14 YouTube channels last year alone; and
15 WHEREAS, Iowa Public Television's educational
16 services and programs spark curiosity and create a
17 love of learning and interest in science, technology,
18 engineering, arts, and math (STEAM) fields in

19 hundreds of thousands of Iowa children, provide Iowa's
20 caregivers, teachers, and educators with free resources
21 and professional development, and nurture STEAM and
22 future-ready skills in our next generation; and
23 WHEREAS, Iowa Public Television brings coverage of
24 Iowa's talented students including girls' high school
25 athletic and dance championships, the All-State Music
26 Festival, the Terrace Hill Piano Competition, and more,
27 free to all Iowans and the world via broadcast and
28 livestreams each year; and

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1 WHEREAS, Iowa Public Television's Iowa Press has set
2 the standard for public affairs programming in Iowa
3 since 1971, and its Market to Market, first broadcast
4 in 1975, is the longest-running program of its kind,
5 airing in 24 markets across 10 states; and
6 WHEREAS, Iowa Public Television is a true public and
7 private partnership supported through state and federal
8 dollars, grants, gifts, underwriting, and the support
9 of more than 60,000 households through the Friends of
10 IPTV Foundation; and
11 WHEREAS, Iowa Public Television stands as Iowa's
12 only statewide television network, remains a beacon of
13 thought-provoking media, and continues to build and
14 utilize the latest technology to expand public access
15 for an even brighter future; NOW THEREFORE,
16 BE IT RESOLVED BY THE SENATE, That the Senate
17 recognizes March 31, 2019, as Iowa Public Television
18 Day at the Iowa State Capitol and commends Iowa Public
19 Television on its 50-year anniversary of telling Iowa's
20 stories and educating Iowa's citizens and youth.

Senate Resolution 17: filed April 1, 2019; adopted by the Senate
on April 1, 2019.

SENATE RESOLUTION 17
By Giddens, Johnson, and Dotzler

1 A Resolution recognizing and congratulating Drew
2 Foster on winning the 2019 National Collegiate
3 Athletic Association Division I Wrestling National
4 Championship in the 184-pound weight class.
5 WHEREAS, Drew Foster became the University of
6 Northern Iowa's (UNI) first national champion at the
7 2019 National Collegiate Athletic Association Division
8 I Wrestling Championships since 2000; and
9 WHEREAS, Foster is a native of Burlington, Iowa, and
10 graduated from Mediapolis High School; and
11 WHEREAS, Foster is the son of Don and Karissa Foster

12 and has a brother, Klay Foster; and
13 WHEREAS, in high school, Foster was a four-sport
14 student-athlete, competing in football, wrestling,
15 track, and soccer; and
16 WHEREAS, Foster set several wrestling records and
17 achieved numerous wrestling awards in high school
18 including a six-second pin that broke his high
19 school record and a single-season win record with 54
20 victories; and
21 WHEREAS, Foster was a three-time high school
22 wrestling state medalist placing second as a senior,
23 seventh as a junior, and third as a sophomore; and
24 WHEREAS, Foster continued his wrestling career by
25 attending and becoming a wrestler at UNI; and
26 WHEREAS, as a senior at UNI, Foster lost just
27 five matches all year, including a loss to the other
28 national championship finalist at the 184-pound weight

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1 class, Max Dean; and
2 WHEREAS, prior to this year's national championship
3 tournament, Foster had won one of his three matches
4 against Max Dean; and
5 WHEREAS, during this year's national championship,
6 Foster defeated four top-15 opponents and earned bonus
7 points in his opening rounds to help UNI secure its
8 best team finish since 2003; and
9 WHEREAS, Foster received his second All-American
10 honor this year, recognizing the top eight placers at
11 the national championship, to go along with his first
12 All-American received in 2017; and
13 WHEREAS, Foster is among 14 other wrestlers who have
14 now combined for 22 wrestling titles at UNI; and
15 WHEREAS, Foster is UNI's first wrestler to be a
16 two-time Big 12 champion; and
17 WHEREAS, Foster earned All-Big 12 academic honors
18 this year; and
19 WHEREAS, Foster will finish with a 95-35 career
20 record, 29-15 record in duals, and a 10-2 record in Big
21 12 duals at UNI; and
22 WHEREAS, Foster is following in his mother's
23 footsteps as an elementary and mid-level education
24 major in hopes of someday becoming a school principal
25 or school district superintendent; and
26 WHEREAS, Foster intends to pursue wrestling
27 professionally while finishing his student teaching at
28 UNI in the fall of 2019; NOW THEREFORE,
29 BE IT RESOLVED BY THE SENATE, That the Senate
30 recognizes and congratulates Drew Foster on his

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- 1 outstanding achievements at the 2019 National
- 2 Collegiate Athletic Association Division I Wrestling
- 3 Championship by placing first in the 184-pound weight
- 4 class.

Senate Resolution 19: filed April 8, 2019; adopted by the Senate on April 9, 2019.

SENATE RESOLUTION 19

By Kinney, Brown, Wahls, and Zumbach

- 1 A Resolution congratulating and honoring University
- 2 of Iowa wrestler Spencer Lee for his outstanding
- 3 wrestling accomplishments, including a second
- 4 consecutive National Collegiate Athletic Association
- 5 wrestling championship title at the 125 pound
- 6 weight-class.
- 7 WHEREAS, on March 23, 2019, University of Iowa
- 8 wrestler Spencer Lee won the National Collegiate
- 9 Athletic Association (NCAA) wrestling championship
- 10 title at 125 pounds for the second consecutive
- 11 year; and
- 12 WHEREAS, Lee's 2019 national championship title win
- 13 is the 84th NCAA individual title win in University of
- 14 Iowa wrestling program history; and
- 15 WHEREAS, Lee is the 23rd multi-NCAA championship
- 16 title winner in University of Iowa wrestling program
- 17 history; and
- 18 WHEREAS, Lee received a number of awards and honors
- 19 during his sophomore wrestling season at the University
- 20 of Iowa, including earning All-American honors for the
- 21 second consecutive year, being named to the academic
- 22 All-Big Ten team, remaining undefeated in Big Ten dual
- 23 matches, placing second at the 2019 Big Ten Wrestling
- 24 Championship tournament, and placing second at the 2019
- 25 Midlands Championship tournament; and
- 26 WHEREAS, Lee finished his sophomore wrestling season
- 27 with a 23-3 record, scoring bonus points in 18 of his
- 28 23 wins, and winning the University of Iowa wrestling

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- 1 program's 2019 Mike Howard Most Valuable Wrestler
- 2 Award; and
- 3 WHEREAS, during his freshman year, Lee won the
- 4 2018 NCAA wrestling championship title at 125 pounds,
- 5 defeating his opponent 5-1, and becoming the University
- 6 of Iowa's first true freshman national champion since

7 1993; and
8 WHEREAS, Lee's 2018 championship title win was the
9 culmination of an incredible comeback season at Iowa
10 with a 22-2 overall record, having started the season
11 recovering from knee surgery and competing for the
12 first time in December 2017; and
13 WHEREAS, for his 2018 wrestling campaign, Lee was
14 named the 2018 Big Ten Freshman of the Year, the winner
15 of the Iowa wrestling program's 2018 Mike Howard Most
16 Valuable Wrestler Award, and the winner of Amateur
17 Wrestling News' 2018 Hammer Award; NOW THEREFORE,
18 BE IT RESOLVED BY THE SENATE, That the Senate
19 congratulates and honors Spencer Lee's outstanding
20 wrestling accomplishments, including a second
21 consecutive National Collegiate Athletic Association
22 wrestling championship title win at the 125 pound
23 weight-class.

Senate Resolution 21: filed April 8, 2019; adopted by the Senate
on April 10, 2019.

SENATE RESOLUTION 21

By Koelker, Rozenboom, Chapman, Behn, Sinclair,
Kraayenbrink, R. Smith, Kapucian, Bisignano, Jochum,
Mathis, Feenstra, Lykam, Dawson, and Schneider

1 A Resolution recognizing the impact of the Iowa Tuition
2 Grant program on Iowa's citizens, towns, and cities,
3 and honoring the efforts of Governor Robert D. Ray
4 and the legislative leaders of the 63rd Iowa General
5 Assembly on the 50th anniversary of the program.
6 WHEREAS, independent, nonprofit colleges and
7 universities have been a vital part of Iowa's higher
8 education community for 180 years; and
9 WHEREAS, Iowa's proud history of higher education
10 began in 1839 with the establishment of an independent,
11 nonprofit institution, St. Raphael Seminary, now Loras
12 College, in Dubuque; and
13 WHEREAS, Iowa's 32 independent, nonprofit colleges
14 and universities welcome students from throughout the
15 country, today educating more than 50,000 students
16 at campuses located in 22 towns and cities in this
17 state; and
18 WHEREAS, the diversity of Iowa's independent,
19 nonprofit colleges and universities provides students
20 the opportunity to find the academic programs and
21 learning environments best suited to their educational
22 and career plans; and
23 WHEREAS, in 1969, the Iowa General Assembly passed,
24 and Governor Robert D. Ray signed, legislation creating
25 the Iowa Tuition Grant program to foster greater access

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1 for Iowa students to the widest array of educational
2 choices; and
3 WHEREAS, since the establishment of the Iowa Tuition
4 Grant program, more than 600,000 grants have been made
5 to financially eligible Iowa students; and
6 WHEREAS, Iowa's students, communities, and economy
7 will continue to rely on the valuable partnership
8 between the state and its independent, nonprofit
9 colleges and universities, a partnership fostered by
10 the Iowa Tuition Grant program; NOW THEREFORE,
11 BE IT RESOLVED BY THE SENATE, That the Senate
12 commemorates the 50th anniversary of the Iowa Tuition
13 Grant program; and
14 BE IT FURTHER RESOLVED, That the Senate honors the
15 efforts of Governor Robert D. Ray and the legislative
16 leaders of the 63rd Iowa General Assembly for their
17 farsighted action in creating the Iowa Tuition Grant
18 program.

Senate Resolution 22: filed April 10, 2019; adopted by the
Senate on April 16, 2019.

SENATE RESOLUTION 22
By Boulton

1 A Resolution recognizing and congratulating the
2 Grand View University Vikings wrestling team on
3 winning the National Association of Intercollegiate
4 Athletics Wrestling National Championship for the
5 eighth consecutive year.
6 WHEREAS, on March 2, 2019, the Grand View Vikings
7 wrestling team won the National Association of
8 Intercollegiate Athletics (NAIA) Wrestling National
9 Championship for an unprecedented eighth consecutive
10 team title; and
11 WHEREAS, the Grand View Vikings wrestling team
12 is only the second team in all of college wrestling
13 history to win eight consecutive national titles; and
14 WHEREAS, the Grand View Vikings wrestling team
15 finished with a total score of 219 team points, which
16 was 134 points ahead of the team in second place; and
17 WHEREAS, this is the second highest team scoring
18 record, ranking only behind the 2017 Grand View Vikings
19 wrestling team's performance; and
20 WHEREAS, two Grand View Vikings wrestlers were
21 crowned national champions: John Wenger at 149 pounds
22 (his second title) and Evan Hansen at 197 pounds (his
23 third title); and

24 WHEREAS, all 12 Grand View Vikings wrestlers
 25 garnered All-American honors and finished sixth or
 26 better on the podium; and
 27 WHEREAS, Lawton Benna became only the fourth Grand
 28 View Vikings wrestler in its program's history to

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1 become a four-time All-American; and
 2 WHEREAS, the Grand View Vikings wrestling team led
 3 the NAIA in scholar-athletes for the second year in a
 4 row; and
 5 WHEREAS, coach Nick Mitchell was named the 2019 NAIA
 6 National Coach of the Year, collecting his fifth such
 7 honor as the Grand View Vikings wrestling team head
 8 coach; NOW THEREFORE,
 9 BE IT RESOLVED BY THE SENATE, That the Senate
 10 recognizes and congratulates the Grand View Vikings
 11 wrestling team on its outstanding achievements in
 12 National Association of Intercollegiate Athletics
 13 wrestling by winning the National Championship for the
 14 eighth consecutive year; and
 15 BE IT FURTHER RESOLVED, That copies of this
 16 Resolution be sent to Grand View Vikings wrestling team
 17 head coach Nick Mitchell and Grand View University
 18 President Kent Henning.

Senate Resolution 23: filed April 15, 2019; adopted by the
 Senate on April 15, 2019.

SENATE RESOLUTION 23
 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, 2019, and that have
 8 not yet been confirmed by the Senate by April 15, 2019.

Senate Resolution 24: filed April 15, 2019; adopted by the Senate on April 15, 2019.

SENATE RESOLUTION 24

By Dawson

1 A Concurrent Resolution congratulating Google on its
2 ten-year anniversary in the State of Iowa.
3 WHEREAS, in 2009, Google's Council Bluffs' data
4 center officially opened for business and is now, with
5 its collective facilities, Google's largest global data
6 center; and
7 WHEREAS, Google has invested more than \$2.5 billion
8 in its Iowa facilities and now employs more than 400
9 people in the facilities; and
10 WHEREAS, in the past 10 years, Google has awarded
11 more than \$1.1 million to local schools and nonprofits
12 in Iowa, granted nearly \$400,000 to the Council
13 Bluffs School District, and provided hardware such as
14 Chromebooks for area students; and
15 WHEREAS, true to the mission of accessibility,
16 Google partnered with the City of Council Bluffs to
17 launch a free community Wi-Fi network that will be one
18 of the largest community Wi-Fi networks in the country
19 once completed; and
20 WHEREAS, Google helps Iowa organizations
21 learn digital skills necessary to grow in today's
22 technology-driven economy, providing \$899 million in
23 economic activity for Iowa businesses and nonprofits
24 in 2017 alone, training thousands of Iowans over
25 the last 10 years, and helping Iowa businesses make
26 their products more readily available to customers
27 worldwide; and
28 WHEREAS, Google's mission is to organize the world's

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1 information and make it universally accessible and
2 useful; NOW THEREFORE,
3 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
4 REPRESENTATIVES CONCURRING, That the Iowa General
5 Assembly congratulates Google and its employees for
6 its continued commitment to the State of Iowa and
7 leadership in preparing Iowans to expand their skills,
8 careers, and businesses.

Senate Resolution 25: filed April 15, 2019; adopted by the Senate on April 15, 2019.

SENATE RESOLUTION 25

By Whitver

1 A Resolution deferring action on the confirmation of
2 certain appointments submitted by an appointing
3 authority other than the Governor.
4 BE IT RESOLVED BY THE SENATE, That the Senate, under
5 the provisions of section 2.32, subsections 5 and 7,
6 defers the consideration of the confirmation of all
7 appointments that have been or are submitted by an
8 appointing authority other than the Governor by, on,
9 or after April 15, 2019, and that have not yet been
10 confirmed by the Senate by April 15, 2019.

Senate Resolution 28: filed April 23, 2019; adopted by the Senate on April 23, 2019.

SENATE RESOLUTION 28

By Committee on Rules and Administration

1 A Resolution honoring Frank Loeffel, Doorkeeper of the
2 Iowa Senate.
3 WHEREAS, Frank Loeffel joined the Senate as a
4 Doorkeeper on March 8, 1999; and
5 WHEREAS, Frank is currently in his twenty-first
6 session and will be retiring thereafter; and
7 WHEREAS, Frank made every visitor to the Senate
8 chamber feel welcomed and every coworker feel
9 valued; and
10 WHEREAS, Frank's years of service at the Capitol are
11 well-deserving of honor and recognition; NOW THEREFORE,
12 BE IT RESOLVED BY THE SENATE, That Frank Loeffel
13 be publicly recognized for his dedicated service to
14 the Iowa Senate and congratulated on his upcoming
15 retirement; and
16 BE IT FURTHER RESOLVED, That a formal copy of this
17 Resolution be presented to Frank Loeffel, with the
18 thanks of the Senate for a job well done.

Senate Resolution 29: filed April 23, 2019; adopted by the Senate on April 24, 2019.

SENATE RESOLUTION 29

By Wahls, Cournoyer, and Bolckom

1 A Resolution recognizing Megan Gustafson for her
2 outstanding academic and college basketball career
3 at the University of Iowa.

4 WHEREAS, Megan Gustafson emerged early in her
5 basketball career by being named to the Big Ten
6 all-freshman team during the 2015–2016 college
7 basketball season; and
8 WHEREAS, Ms. Gustafson solidified her place in Iowa
9 basketball history by being named first team all-Big
10 Ten by the conference coaches and media during her
11 sophomore, junior, and senior seasons while twice being
12 named Big Ten Player of the Year; and
13 WHEREAS, during Ms. Gustafson's record-breaking
14 senior season, she became a consensus first team
15 all-American while being named Big Ten Player of the
16 Week a record 13 times, and became only the fourth
17 player in women's college basketball history to score
18 1,000 points in a single season; and
19 WHEREAS, Ms. Gustafson's senior season that included
20 leading the country in scoring per game (27.8), total
21 points (1,001), double-doubles (33), field goals made
22 (412), and field goal percentage (69.6), culminated
23 with a Big Ten Conference Tournament championship,
24 where Ms. Gustafson was named the tournament's Most
25 Outstanding Player, and the University of Iowa women's
26 basketball team's second straight National Collegiate
27 Athletic Association tournament appearance, where the
28 team advanced to the Elite Eight; and

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1 WHEREAS, Ms. Gustafson ended her career at the
2 University of Iowa as a two-time academic all-Big Ten
3 selection and as the school's all-time leading scorer
4 and rebounder; and
5 WHEREAS, for her outstanding senior season, Ms.
6 Gustafson received the 2019 Citizen Naismith Trophy
7 for Women's College Player of the Year; was named
8 the Associated Press Women's Basketball Player of
9 the Year and the ESPNW College Basketball Player of
10 the Year; received the 2019 Lisa Leslie Award as the
11 nation's top center; received the Ann Meyers Drysdale
12 National Player of the Year Award from the United
13 States Basketball Writers Association; and received the
14 2018–2019 Senior CLASS Award; NOW THEREFORE,
15 BE IT RESOLVED BY THE SENATE, That the Senate hereby
16 recognizes and congratulates Megan Gustafson for her
17 outstanding career at the University of Iowa and wishes
18 her continued success during her Women's National
19 Basketball Association career.

MEMORIALS

IN MEMORIAM

SENATORS

| | |
|------------------------|-------------------------------------|
| Leonard Boswell..... | January 10, 1934 – August 17, 2018 |
| Florence D. Buhr..... | April 7, 1933 – May 12, 2018 |
| Joy C. Corning..... | September 7, 1932 – May 20, 2017 |
| Andy Frommelt | October 18, 1921 – April 26, 2017 |
| Calvin O. Hultman..... | May 24, 1941 – October 19, 2017 |
| Jack Schroeder..... | August 21, 1925 – December 19, 2017 |
| Thomas Slater | November 5, 1945 – March 17, 2018 |
| John Tapscott..... | January 23, 1930 – August 16, 2017 |

LEONARD BOSWELL

Senator Leonard Boswell was born on January 10, 1934 in Harrison County, Missouri to Melvin “Doc” and Margaret Vivian Boswell.

Boswell was raised in rural Decatur and Ringgold counties in Iowa. He attended Lamoni High School and Graceland University. On September 2, 1955 he married Darlene “Dody” Votava of Independence, Missouri. To this union, three children were born; Diana, Cindy and Joe. Leonard also had a daughter Terri from a previous marriage.

Boswell was drafted into the United States Army in 1956. He was a “mustang”, an enlisted man who later earned a commission as an officer, a fact that gave him great pride. Trained as a helicopter pilot, Boswell twice volunteered to serve in the Vietnam War where he led hundreds of combat missions. In Vietnam, Boswell earned two Distinguished Flying Crosses and two Bronze Stars for valor. He also earned the Soldier’s Medal, the highest honor a soldier can earn for saving someone’s life in a noncombat situation – he was most proud of this distinction.

In 1976, Boswell retired as a Lieutenant Colonel from the Army. He returned to farm in southern Iowa, where he also devoted his time as a leader in the community. He was first elected to the Iowa Senate in 1984. He spent 12 years in the Senate – the last four as Senate President.

Boswell, along with Governor Terry Branstad and John Ruan Sr., played a role in getting the World Food Prize to move its headquarters to Des Moines.

In 1996 Sen. Boswell left the Iowa Senate after being elected to serve in the United States House of Representatives. He served 16 years in Congress.

Boswell devoted much of his life to public service. After leaving Congress, Leonard served on the Iowa Transportation Commission, Board of Trustees of Graceland University, the Concord Coalition and Dwight D. Eisenhower Memorial Commission – to name a few.

Of all the numerous awards and honors he received, he was particularly humbled by being inducted to the Hall of Fame at the U.S. Army Command and General Staff College at Fort Leavenworth, where he was both a student and an instructor.

Senator Boswell was a Decatur County Democrat. He served in the Iowa Senate from 1985 to 1996.

Senator Leonard Boswell passed away on August 17, 2018, at the age of 84.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Leonard Boswell, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Mark Costello
William Dotzler
Robert Hogg
Committee

FLORENCE D. BUHR

Senator Florence Buhr was born April 7, 1933 in Strahan, Iowa to Earnest and May Brott Wederquist.

She graduated from Malvern High School in 1950 and received a B.A. in elementary education from Iowa State Teachers College (now UNI) in 1954.

Florence met her husband Glenn in college marching band and they married in 1955. To this union three children were born; Barbara, Lori and David. She was a teacher who taught in the Council Bluffs and Des Moines Public School Districts. She lived in Frankfurt, Germany and worked for the Department of Defense from 1979 to 1982 while Glen served as the Director of the European trade office for the State of Iowa.

She ran for and was elected to the Iowa House of Representatives in 1982 and completed four terms including service as the Assistant House Majority Leader. Buhr was elected to the Iowa Senate in 1990, serving one term. Senator Buhr also earned her colleagues support serving as an Assistant Senate Majority Leader.

Senator Buhr played an instrumental role in creating and enacting many health and human rights policies and programs for the State of Iowa during her legislative tenure. In 1994 she was elected to the Polk County Board of Supervisors and served one term as a supervisor including serving as Chair in 1997. Florence served on numerous boards and commissions.

Florence was a past or present member of the following Boards of Directors: Calvin Community, Terrace Hill Society Foundation, Polk County Civil Service Commission, Civic Center of Greater Des Moines, and Racing Association of Central Iowa. She was an active member and past president of Golden K. Kiwanis. She was a member of Cottage Grove Presbyterian Church for over 50 years, serving in many church leadership positions.

Sen. Buhr lived her life with energy, purpose, integrity and conviction. She enjoyed sports, including being a supporter of Drake men's and women's basketball.

Senator Buhr was a Polk County Democrat. She served in the Iowa House and Iowa Senate from 1983 to 1995.

Senator Florence Buhr passed away on May 12, 2018 at the age of 85.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Florence D. Buhr, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Tony Bisignano
Claire Celsi
Zach Nunn
Committee

JOY C. CORNING

Senator Joy Cole Corning was born September 7, 1932 in Bridgewater, Iowa to Perry and Ethel Cole.

She graduated from Bridgewater High School in 1949 and later from Iowa State Teachers College (UNI), with a degree in Kindergarten and Primary Education. She later became a teacher.

She married Burt Corning in 1955 and to this union three daughters were born; Carol, Claudia and Ann.

Public service was important to Sen. Corning. She served on the Cedar Falls School Board, including holding the title as board president for nine years. In 1984 she was elected to the Iowa Senate where she served until 1991. Sen. Corning was the 44th Lieutenant Governor of Iowa. Some committees she served on while in the Senate included Appropriations and Human Resources.

As Lieutenant Governor, Corning developed and led many important initiatives including a celebration of diversity and increasing the number of quality foster care homes through the Family Foster Care program. She served as the first person to chair Iowa's STOP Violence against Women Council. She served on numerous other boards and councils. In 2004 Sen. Corning was inducted to the Iowa Women's Hall of Fame.

Senator Corning dedicated much of her life working on behalf of issues in which she was passionate such as children and families, women's health & rights, equality and justice and education and the arts. She served as Director of Iowa Association of School Boards, Iowa Housing Finance Authority, Midway Bank & Trust and Iowa Peace institute – to name a few.

She served in the Iowa Senate from 1985 to 1991. Senator Corning was a Black Hawk County Republican.

Senator Joy Cole Corning passed away May 20, 2017 at the age of 84.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Joy C. Corning, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

William Dotzler
Craig Johnson
Annette Sweeney
Committee

ANDY FROMMELT

Andy Frommelt was born October 18, 1921 in Dubuque, Iowa to Andrew J. and Pauline (Hemmi) Frommelt.

Andy was united in marriage to Bernice Kranich on April 24, 1948 in Dubuque. To this union two children were born; Alan and Gayle.

Andy and Bernice owned and operated Andy Frommelt & Associates Insurance Agency.

He was first elected to the Iowa House of Representatives serving from 1953 to 1958. He was initially one of only three Democratic members. It's been said; they famously caucused in a phone booth! There he quickly rose to serve as House Minority Leader before being elected to the Iowa Senate.

Senator Frommelt served in the Iowa Senate until 1971. During his time in the Senate he was elected by his peers to serve as Senate Majority Leader.

Among his many impressive Legislative accomplishments he wrote legislation repealing Capital Punishment in Iowa. He also was instrumental in legalizing Liquor by the Drink.

Senator Frommelt was a powerful voice for liberal values within the Democratic Party for many years and a strong leader in the fight for labor rights and civil rights as well.

Senator Frommelt was a Dubuque County Democrat.

Senator Andy Frommelt passed away on April 26, 2017 at the age of 96.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Andy Frommelt, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate.

Pam Jochum
Carrie Koelker
Zach Wahls
Committee

CALVIN O. HULTMAN

Senator Calvin O. Hultman was born May 24, 1941 in Omaha, Nebraska.

He grew up in Stanton, and attended Iowa State University and Dana College. Upon graduating from High School, he met his wife, Mary. To this union three sons were born; Calvin II, Dan and Chris.

Senator Hultman was first elected to the Iowa Senate in 1972. For much of his 18 years serving in the Iowa Senate, Cal's peers elected him their Minority Leader and Majority Leader as well.

In 1972 Hultman was honored as the Jaycees outstanding young man in Iowa. He was also named one of the top 10 Republican legislative leaders nationally.

He was in the retail and lumber business, as well as realty. After retiring from the Iowa Senate, he became a registered lobbyist. He founded Hultman Company, a political consulting firm.

Hultman was a member of Lutheran Church of Hope, being its first congregational president. He was also an active member of Alcoholics Anonymous.

Senator Hultman was described as a quiet gentle giant whose compassion for people made a difference.

He served in the Iowa Senate from 1973 to 1991.

Senator Hultman was a Montgomery County Republican.

Senator Calvin O. Hultman passed away on October 19, 2017 at the age of 76.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Calvin O. Hultman, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Tod R. Bowman
Jeff Danielson
Dan Zumbach
Committee

JACK SCHROEDER

Jack Schroeder was born August 21, 1925 in Davenport, Iowa to Walter and Flora Schroeder. He was educated in the public schools of Davenport, and attended St. Ambrose College in Davenport.

In 1942 he enlisted in the Navy Air Corps, serving in the Pacific Theater until 1946. He returned to Iowa after his service in the Navy. On April 30, 1947 he married Virginia Posateri. To this union two children were born: Sandra and Walter.

He graduated in 1952 from Drake Law School and became a partner in the Law Firm of Filseth and Schroeder.

Schroeder was first elected to the Iowa House of Representatives in 1951 where he served two terms. Sen. Schroeder was elected to the Iowa Senate in 1954 where he served until his retirement in 1967. During his time in the Iowa Senate, Sen. Schroeder was elected Senate Majority Leader by his peers.

He served as President of the Iowa Heart Association and was on numerous boards including; Lutheran Hospital and Hawkeye BanCorp. He was a member of the Masonic Lodge, Sarasota Yacht Club, Long Boat Key Club and St. Armand's Lutheran Church.

Jack retired from law practice and became the founder, Chairman and CEO of General United Life Insurance Company and Chairman/Part Owner of Bettendorf Bank and Trust. His insurance career spanned more than 40 years. He was an Insurance Executive for many companies including New York Life, All American Life in Chicago and as President and CEO of American Life and Casualty. He retired in 2010 with American Equity.

Senator Schroeder served in the Iowa House from 1951 to 1954 and in the Iowa Senate from 1955 to 1967.

Senator Schroeder was a Scott County Republican.

Senator Jack Schroeder passed away December 19, 2017 at the age of 92.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Jack Schroeder, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Chris Cournoyer
Jim Lykam
Roby Smith
Committee

THOMAS SLATER

Thomas Leon Slater was born November 5, 1945 in Templeton, Iowa to Donald and Geraldine Slater. He grew up on the family farm with his four brothers and sisters.

Slater graduated from Washburn University in 1967 and served as Director of Parks, Recreation and Public Property for Council Bluffs in the 1970's.

Tom was elected twice to represent Council Bluffs and Pottawattamie County as state Senator, where he chaired the State Government committee and was responsible for much progressive legislation. He was always striving to create or improve programs.

After leaving the Iowa Senate, Senator Slater founded the State Public Policy Group (SPPG), which helped nonprofit and other groups be responsive organizations and positive voices in public policy.

Senator Slater's professional legacy is in the staff, colleagues and friends he has mentored, encouraged and enabled to pursue successful careers promoting the public good. He has touched the lives of many friends and colleagues with his humor, compassion and wisdom.

Slater served in the Iowa Senate from 1977 to 1985.

Senator Slater was a Pottawattamie County Democrat.

Senator Tom Slater passed away on March 17, 2018 at the age of 72.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Thomas Leon Slater, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate.

Tony Bisignano
Dan Dawson
Jackie Smith
Committee

JOHN TAPSCOTT

John E. Tapscott was born January 23, 1930 in Des Moines, son of Ralph and Helen Tapscott. He attended grade school in Des Moines, Christian Brothers School in San Francisco, California and Dowling High School in Des Moines. Tapscott also attended American Institute of Business.

John married Verlene Quail of Des Moines on Feb. 19, 1950. He and his wife Verlene had eight children: Kate, Mark, Matthew, Luke, Melissa, Patrick, John and Mary Margaret. He later met and married Gaiana.

John was a salesman, a real estate and insurance agent, auctioneer and wholesale and retail business owner.

In 1966 Tapscott was elected to the Iowa House of Representatives where he served two terms. He served in the Iowa Senate until 1973 when he made a bid for Iowa Governor.

Tapscott served as Director of the Des Moines Area National Council on Alcoholism and Other Drug Dependencies (known today as Employee and Family Resources). In 1975 he started the Employee and Student Assistance Program evaluation center for alcohol, drug and mental health services. He served as Director until his retirement in 1995.

For 20 years he counseled drug addicts and alcoholics, encouraging research into drug legalization while directing the Des Moines chapter of the National Council on Alcoholism.

He was a member of Concerned Christians, Big Brothers, National Rehabilitation Association, and Christ the King Catholic Church.

John Tapscott was known for living life with integrity and meaning.

Senator Tapscott was a Polk County Democrat.

Senator John Tapscott passed away August 16, 2017 at the age of 87.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable John Tapscott, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate.

Nate Boulton
Janet Petersen
Jack Whitver
Committee

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Amendments filed – 293, 295, 663, 1002, 1069, 1100, 1158

Amendments offered – 1002, 1100

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KAPUCIAN, TIM L. – Senator, 38th District; Republican

- Amendments filed – 624, 864
- Amendments offered – 624, 1091

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NUNN, ZACH – Senator, 15th District; Republican

- Amendments filed – 570, 690, 982, 1035, 1165
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