



# iowa legislative news service

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www.ialns.com  
515.661.4929

publisher & editor-in-chief:  
jack.hunt@ialns.com  
editor: barbara.hunt@ialns.com

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## AROUND THE CAPITOL

The Senate held a short session today, with retirement speeches from four members (Lykam, Goodwin, Carlin and Nunn). The Senate also sent three bills down to the Governor on unanimous votes, sent one bill over the House ([SF 2382 ELECTRIC ANTIQUE VEHICLES](#)) on a unanimous vote and sent one resolution to the House ([SJR 2006 SUPERMAJORITY TAX APPROVAL](#)) on a 30-18 vote. [SJR 2006](#) proposes an amendment to the Iowa Constitution requiring a supermajority (2/3) vote to increase a tax or impose a new tax. The Legislature has submitted a different version of a constitutional amendment requiring the 2/3 supermajority to a public vote; that proposed amendment failed. Both [SJR 2006](#) and [SF 2382](#) need to go through committee work in the House.

Senator Quirnbach said that approval of the proposed amendment in [SJR 2006](#) will mean the end of public education in Iowa. He said that the Iowa budget has been propped up by federal money and said that the end of federal pandemic aid is going to lead to a fiscal disaster in Iowa. He said that this amendment, if adopted, will lock the state into “disastrous” tax cuts. Quirnbach said that Kansas, which adopted, similar tax cuts, had to undo most of those cuts. Senator Dawson said that the tax cuts approved this year will make Iowa a pro-growth state. He said it should be harder to raise taxes than to cut taxes. Dawson said that the proposed amendment makes tax rates more predictable and will make it harder for future Legislatures to roll back tax cuts.

The House heard retirement speeches from Representatives McClintock, Winckler and Westrich before beginning debate. The House approved two bills with Senate amendments, sending those bills down to the Governor and amended five other bills, returning those bills to the Senate for further work. The House returned to the floor in the afternoon to take up [SF 2378 BOTTLE REDEMPTIONS](#). The bill will allow some retailers to discontinue accepting bottle and can refunds, increase handling fees and create a credit against the beer excise tax for distributors. The House amended and approved the bill on a 73-17 vote. The bill returns to the Senate for further action. Representative Lohse, who handled the bill, said that bottle bill has reached a point where the Legislature must fix it. He said that the discussion of the bill has encouraged people to look into starting new or mobile redemption centers and said that legislators need to give the provisions enough time to work.

Representative Mascher, who voted against the bill, said that under the proposed timelines, many retailers will stop accepting cans and bottles before new redemption centers are in place. She said that the bill will hurt consumers, especially many poorer families, and make it harder for them to redeem cans and bottles. Representative Hansen said that some of the problems with the current bottle redemption law are due to the lack of enforcement of the law.

## APPROPRIATIONS BILLS

AS OF TUESDAY APRIL 12, 2022

<a href="#">HF 2560</a>	AGRICULTURE & NATURAL RESOURCES	Amended & Passed House 3.23	In Senate Subcommittee 3.29			
<a href="#">HF 2565</a>	ADMINISTRATION & REGULATION	Amended & Passed House 3.24	In Senate Subcommittee 3.29			
<a href="#">HF 2564</a>	ECONOMIC DEVELOPMENT	Amended & Passed House 3.24	In Senate Subcommittee 3.29			
<a href="#">HF 2578</a>	HEALTH & HUMAN SERVICES	Amended & Passed House 4.5	In Senate Subcommittee 4.12			
<a href="#">HF 2575</a>	EDUCATION	Amended & Passed House 3.29	In Senate Subcommittee 3.31			
<a href="#">HF 2558</a>	JUDICIAL BRANCH	Amended & Passed House 3.22	In Senate Subcommittee 3.24			
<a href="#">HF 2559</a>	JUSTICE SYSTEMS	Amended & Passed House 3.22	in Senate Subcommittee 3.24			
<a href="#">HF 2579</a>	REBUILD IOWA INFRASTRUCTURE FUND (RIIF)	Amended & Passed House 4.5	In Senate Subcommittee 4.12			
<a href="#">HF 2557</a>	TRANSPORTATION, INFRASTRUCTURE & CAPITALS	Amended & Passed House 3.22	PASSED Senate Subcommittee 4.6	In Senate Committee 4.12		

## E-15 ANNOUNCEMENT

President Biden was in Iowa today, and at an Iowa ethanol plant, announced that the federal government will approve year-round E-15 sales. Governor Reynolds issued a statement on the announcement:

Thank you to the Biden Administration for this very welcome news. While there is more to be done from the Administration to address high energy and fuel prices, unrestricted access to E-15 is a great first step. This action, although temporary, will ensure Iowans continued access to E-15 and higher blends of ethanol. It is critical that the EPA implements this in a way to fully allow E-15 for the entire summer driving season. I will continue to fight for our agriculture and renewable fuels industry because Iowans, and all Americans, deserve less expensive, cleaner-burning fuels.

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## TODAY IN THE LEGISLATURE

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**Bills to the Governor: (5)**

**Bills to the House: (1)**

**Resolutions to the House: (1)**

**Bills RETURNED to the Senate: (6)**

**House Files: none (last introduced HF 2584)**

**House Study Bills: none (last introduced HSB 729)**

**Resolutions INTRODUCED by the House: (3)**

**[HR 117](#) MILK LABELING (Ingels, 13 R's, 2 D's)**

Urges the FDA to take action to improve the labeling of milk and dairy products.

**[HR 118](#) PETE ROSE (Bacon, 20 R's, 8 D's)**

Urges the Baseball HOF and MLB to reconsider its ban on Pete Rose.

**[HR 119](#) HONORING NICK CRITELLI (Jacobsen)**

Honors Nick Critelli for his service as a lawyer and as a captain in the Coast Guard Reserve.

**WITHDRAWN: [HF 2387](#), [HF 2571](#), [SF 2185](#), [SF 2242](#)**

**Senate Files: none (last introduced SF 2383)**

**Senate Study Bills: none (last introduced SSB 3159)**

**Resolutions ADOPTED by the Senate: (4)**

**[SR 111](#) HONORING SENATOR LYKAM**

Honors Senator Jim Lykam for his twenty-two years of service in the Legislature.

**[SR 112](#) HONORING SENATOR CARLIN**

Honors Senator Jim Carlin for his six years of service in the Legislature.

**[SR 113](#) HONORING SENATOR GOODWIN**

Honors Senator Tim Goodwin for his two years of service in the Senate.

**[SR 114](#) HONORING SENATOR NUNN**

Honors Senator Zach Nunn for his eight years of service in the Legislature.

**Individual Confirmation Calendar:**

Rodney Bradley, *State Board of Education* - **CONFIRMED** 48-0

Cindy Dietz, *State Board of Education* - **CONFIRMED** 48-0

Cassandra Halls, *State Board of Education* - **CONFIRMED** 48-0

Michael Cavin, *Director of the Board of Educational Examiners* - **CONFIRMED** 48-0

Steven Lukan, *Director of the Department of Veterans Affairs* - **CONFIRMED** 48-0

Matthew Peterson, *Commandant of the Iowa Veterans Home* - **CONFIRMED** 48-0

## HOUSE FLOOR ACTION

### Bills to the Governor: (2)

#### **HF 2340 PUBLIC NUISANCES**

Deems it a bar (licensed premises not including food establishments) a public nuisance if on 3 days in the previous year, guns have been unlawfully fired or persons have assaulted other persons or rioted. Makes the burden clear and convincing evidence. Establishes a 500-foot perimeter for determining if an action happens on the licensed premise. Allows the city or county attorney to file an action to abate the nuisance and requires the trial to be held within 45 days. Allows the court to order remedial action necessary to abate the nuisance.

[H 8350](#) by the **Senate** - *Strike & Replace*: Replaces the bill with new provisions on abating nuisances. Strikes certain distance provisions in the bill. Requires the ABD to give notice to a bar being sued to limit the hours of operation to 6 AM to 10 PM during the suit. Limits bill to licensed premises where the sale of food is incidental. **ADOPTED**

The **Senate PASSED** the bill as amended 47-0 (4/6)

The **House CONCURRED & PASSED** the bill as amended 93-0; it now GOES to the **Governor**

#### **HF 2390 CHILD ADVOCACY**

**CAB**: Requires the DHS and DIA to jointly develop protocols for departmental duties for children under the Child Advocacy Board. Requires agencies to notify the CAB about foster care placements. Requires the CAB to review the CASA program. Expands the scope of the CAB annual report. Requires the evaluation of data from local boards and from CASA and dissemination to DHS, the governor and courts. **Foster Care**: Sets the number for local foster care boards as between five and seven members. Makes changes regarding membership, background checks and other duties of the local boards. Allows persons to submit written testimony to the board. **Records**: Allows certain DHS records on a child to be shared with CASA, CAB and local boards. Allows a court to release records to CASA or local boards to determine the needs of a child. Includes requirements for dealing with confidential records. Makes other changes regarding CAB training, duties, definitions and other matters. **CASA**: Makes changes regarding the duties of CASA. Requires CASA to receive notice of all matters related to a case CASA is appointed to. **Other**: Includes data about placement with fictive kin in a case permanency plan. Defines fictive kin.

[H 8349](#) by the **Senate** - Technical correction. **ADOPTED**

The **Senate PASSED** the bill as amended 46-0 (4/6)

The **House CONCURRED & PASSED** the bill as amended 93-0; it now GOES to the **Governor**

### Bills RETURNED to the Senate: (6)

#### **SF 333 EMERGENCY VEHICLE USE**

Allows the driver of an emergency vehicle disobey certain traffic laws in the pursuit of a perpetrator who has committed a misdemeanor. Allows drivers of fire and EMS vehicles, and police officers on bikes, to go through red lights or stop signs without stopping. Allows an ambulance to transport a patient at speeds over the speed limit without using a siren or lights in specific circumstances. Authorizes certain pursuit techniques by police. Includes provisions on parades and funeral processions. Includes provisions on the use of air horns and on authorizing emergency vehicles. Includes immunity provisions. Effective on enactment.

[H 8354](#) by **Kerr** - Updates the bill. Makes corrections. **ADOPTED**

The **House PASSED** the bill as amended 54-39; it now RETURNS to the **Senate**

## HOUSE FLOOR ACTION (CONTINUED)

### Bills RETURNED to the **Senate**: (continued)

#### **SF 2287 CATALYTIC CONVERTOR SALES**

Establishes requirements for the sale of catalytic convertors. Requires a seller to show an ID and a sales tax permit/business license or a receipt showing the purchase of a replacement or junking certificate from 30 days prior. Allows the seller to show alternate proof that the sale is approved by the sheriff. Requires the purchaser to keep a confidential record, to take pictures of the convertor and to have a fixed address. Requires transactions to be by check/electronic funds transfer. Establishes civil penalties for violation. Allows the inference that a failure to keep records implies that the purchaser knew the property was stolen.

[H 8357](#) by **Hall** - **WITHDRAWN**

[H 8351](#) by **Westrich** - Adds additional traceable methods for payment (pre-paid bank, credit and debit cards and vouchers). **ADOPTED**

[H 8358](#) by **Hall** - Requires the purchaser act intentionally in making violations regarding the lack of record keeping. **ADOPTED**

The **House PASSED** the bill as amended 88-5; it now RETURNS to the **Senate**

#### **SF 2297 FELONY JURY DISQUALIFICATIONS**

Disqualifies a felon on parole or probation or a registered sex offender from jury service.

[H 8355](#) by **Holt** - Adds provisions similar to [HF 2485 JUDICIAL COMMISSION INVESTIGATIONS](#). (Gives a standing committee investigating various matters access to any confidential information the Commission has on the matter.) **RULED NON-GERMANE; MTSR ADOPTED 52-39**

[H 8355](#) by **Holt** - **ADOPTED**

The **House PASSED** the bill as amended 69-22; it now RETURNS to the **Senate**

#### **SF 2374 ALCOHOL LICENSES**

**Licenses:** Changes liquor control licenses to retail alcohol licenses. Makes changes to the designations for various licenses and makes changes to the powers of the new licenses. Makes conforming changes. Changes fees. **Other:** Requires that the delivery of alcohol by retailers be completed on the same day the alcohol is removed from the premises. Authorizes keg ID labels instead of stickers. Makes changes to charity licenses. Defines canned cocktails. Most provisions effective January 2023.

[H 8352](#) by **Kaufmann** - Corrective. **ADOPTED**

[H 8356](#) by **Latham** - Adds provisions similar to [HF 2408 FOOD DELIVERIES](#). (Includes provisions banning food delivery services from using the likeness/other materials from a restaurant without permission. Prohibits additional charges by the food delivery service to the consumer, unless noted separately or additional charges to the restaurant unless agreed to. Voids agreements between an FDS and restaurants that are contrary to these provisions. Requires the FDS to remove a restaurant from its website at the restaurant request. Establishes civil penalties ranging from \$1,000 to \$10,000 for third offenses. Includes provisions on food safety.) **ADOPTED**

The **House PASSED** the bill as amended 93-0; it now RETURNS to the **Senate**

#### **SF 2376 ALL SYSTEMS WEIGHT PERMITS**

Authorizes DOT to issue an annual all systems permit for overweight vehicles (not exceeding 90,000 pounds). Sets the fee at \$500, with \$375 earmarked for the county secondary road funds.

[H 8353](#) by **Hein** - Requires counties to allow vehicles under these permits to operate on secondary roads and to indicate to the DOT secondary roads which are not included under these permits. **ADOPTED**

The **House PASSED** the bill as amended 86-7; it now RETURNS to the **Senate**

## HOUSE FLOOR ACTION (CONTINUED)

### Bills RETURNED to the **Senate**: (continued)

#### **SF 2378** BOTTLE REDEMPTIONS

Allows retailers (dealers) to refuse to accept bottles and cans for redemption if there is a redemption center within 20 miles as of July 2023. Defines mobile redemption centers. Pre-empts local ordinances on mobile redemption centers. Requires someone redeeming more than 2,000 cans to show proof of residency. Establishes criminal and civil penalties for attempting to redeem out-of-state cans. Does not require redemption centers to include a list of retailers who use the center in lieu of taking redemptions in notices. Deems any redemption funds remaining with the distributor after the payment of redemption/handling fees to belong to the distributor. Increases the handling fee paid to redemption centers to 3 cents. Requires the DOR to require products to have a UPC label. Lowers the beer barrel tax to \$4.03.

#### Amendments to **SF 2378**

[H 8306](#) **Lohse** and [H 8307](#) by **Isenhart** - **WITHDRAWN**

[H 8359](#) by **Lohse** - Raises handling fees to 3 cents. Allows a dealer (retailer) to refuse to accept bottles if the retailer has a food establishment license, a food protection manager, sells temperature-controlled food and has a mobile redemption center or is within set distances (10 miles in a county over 30,000, 15 miles in a county under 30,000). Requires refunds to be paid out in 10 days. Allows beer distributors to receive a refund of the beer excise (barrel) tax, up to 1 cent. Requires the DOR to adopt rules on such refunds. Requires redemption centers to register; allows retailers accepting returns to register. Requires the DOR to determine a UPC format for bottles. Establishes civil penalties. Allows the DNR to seek compliance orders. Establishes an enforcement fund for the DNR. Requires the AG to take actions to insure compliance. Establishes reporting requirements by 2026 for the Legislative Fiscal Committee. Allows distributors to retain redemption funds left after various required payments have been made.

[H 8360](#) to [H 8359](#) by **Lohse** - Corrective. **ADOPTED**

[H 8361](#) to [H 8359](#) by **Lohse** - Makes confidential certain information submitted for refunds on beer taxes confidential. **ADOPTED**

[H 8359](#) by **Lohse** as amended, **ADOPTED**

The **House PASSED** the bill as amended 73-17; it now RETURNS to the **Senate**

## SENATE FLOOR ACTION

### Bills to the **Governor**: (3)

#### **HF 2201** CONTROLLED SUBSTANCES

**Controlled Substances:** Updates provisions on controlled substances to conform with the federal provisions.

**PMAC:** Authorizes the BOP to appoint the members of the Prescription Monitoring Advisory Council and makes other changes to the powers and composition of the PMAC. Directs the BOP to adopt rules.

The **House PASSED** the bill 94-1 (2/22)

The **Senate PASSED** the bill 48-0; it now GOES to the **Governor**

#### **HF 2222** PRO SE MOTIONS

Allows defendants, and applicants for post-conviction relief, to file certain pro se motions for the disqualification of counsel, for notice of appeals and motions to withdraw.

The **House PASSED** the bill 95-0 (2/22)

The **Senate PASSED** the bill 48-0; it now GOES to the **Governor**

#### **HF 2378** RACEHORSE AFTER CARE

Increases the amount of purse money for thoroughbred racehorse organization for an aftercare program for racehorses. Requires the money be distributed to non-profits that retrain and rehome retired racehorses and have been in existence for at least three years.

The **House PASSED** the bill 97-0 (2/23)

The **Senate PASSED** the bill 46-2; it now GOES to the **Governor**

### Bills to the **House**: (1)

#### **SF 2382** ELECTRIC ANTIQUE VEHICLES

Includes electric cars and plug-in hybrids that are from 1969 or older and registered as antique vehicles and exempts them from the special registration fees for electric/hybrid vehicles.

The **Senate PASSED** the bill 48-0; it now GOES to the **House**

### Resolutions to the **House**: (1)

#### **SJR 2006** SUPERMAJORITY TAX APPROVAL

Proposes an amendment to the Iowa Constitution requiring a supermajority (2/3) vote to increase a tax or impose a new tax. Requires lawsuits challenging a bill subject to the 2/3 within a year of enactment.

The **Senate ADOPTED** the resolution 30-18; it now GOES to the **House**

## HOUSE &amp; SENATE AGENDA

WEDNESDAY, APRIL 13, 2022		
10 AM-3 PM	<i>Iowa Religious Freedom Day</i>	<i>Rotunda</i>
8:30 AM	<b>HOUSE CONVENES</b>	<i>House Chamber</i>
9 AM	<b>SENATE CONVENES</b>	<i>Senate Chamber</i>
1 PM	<b>Senate Appropriations Committee</b> <a href="#">HF 2517</a> LEVEE STUDY: <b>Costello</b> (C) <a href="#">HF 2557</a> TRANSPORTATION, INFRASTRUCTURE & CAPITALS: <b>Johnson</b> (C) <a href="#">HF 2573</a> OPIOID ANTAGONIST: <b>Garrett</b> (C)	<i>Room 116</i>

## SUBCOMMITTEE MEETINGS

WEDNESDAY, APRIL 13, 2022		
10:30 AM	<b>Senate Ways &amp; Means Subcommittee</b> <a href="#">HF 2581</a> CHOOSE IOWA/FUEL CHANGES: <b>Sweeney</b> (C), <b>Green</b> , <b>T Taylor</b>	<i>Senate Lounge</i>

## HOUSE DEBATE CALENDAR

WEDNESDAY, APRIL 13, 2022

<a href="#">HF 2369</a>	<b>NR</b>	TRAPPING NUISANCE ANIMALS	<i>Fisher</i>
<a href="#">HF 2583</a>	<b>WM</b>	SALES TAX & FRANCHISE TAX (sim/comp to <a href="#">SF 2367</a> )	<i>Lohse</i>

## SENATE DEBATE CALENDAR (FROM 4.12)

WEDNESDAY, APRIL 13, 2022

<a href="#">SF 2134</a>	<b>JU</b>	COURT ADMINISTRATOR SALARY (sim/comp to attached <a href="#">HF 2360</a> )	<i>J Taylor</i>
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## SENATE SUBCOMMITTEE ASSIGNMENTS

### APPROPRIATIONS

<a href="#">HF 2578</a>	HEALTH & HUMAN SERVICES APPROPRIATIONS	<b>Costello</b> (C), <b>Edler</b> , Ragan
<a href="#">HF 2579</a>	RIFF APPROPRIATIONS	<b>Johnson</b> (C), <b>Lofgren</b> , Petersen

### WAYS & MEANS

<a href="#">HF 2576</a>	BARBER & COSMETOLOGY BOARD	<b>Zaun</b> (C), <b>Goodwin</b> , Jochum
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