



HARDIN COUNTY
Board of Supervisors

Monday, August 31, 2020

NOTICE: Public attendance at public meetings is restricted due to COVID-19 concerns. To access and participate in the meetings remotely, please call 641-939-8108 for meeting information.

1. 1:00 P.M. Hearing On Objection To Candidate Nomination*
Courthouse Large Conference Room (Lower Level)

Documents:

[WRITTEN OBJECTION.PDF](#)

2. Call To Order By Hearing Panel
3. Adoption Of Hearing Procedures

Documents:

[PROCEDURES CHAPTER 23.24.PDF](#)

4. Introduction Of Issue(S) Before Panel
5. Receipt Of Evidence From Objector (In Person Or By Zoom)
6. Receipt Of Evidence From Nominee (In Person Or By Zoom)

Documents:

[CONSTITUTION OF IOWA DEMOCRATIC PARTY.PDF](#)
[HARDIN COUNTY DEMOCRATIC PARTY BYLAWS.PDF](#)
[IDP BUSINESS ENTITY SUMMARY.PDF](#)
[IDP PRESS RELEASE.PDF](#)
[IDP STATE CENTRAL COMMITTEE MINUTES 3-26-2020.PDF](#)
[IOWA CODE SECTION 504.207.PDF](#)
[RESOLUTION RE ABSENTEE VOTING IN IDP CONVENTIONS.PDF](#)
[STATE PROCLAMATION OF DISASTER EMERGENCY 3-17-2020.PDF](#)
[STATE PROCLAMATION OF DISASTER EMERGENCY 7-24-2020.PDF](#)

7. Receipt Of Additional Evidence
8. Close Of Evidence
9. Deliberation
10. Announce Decision
11. Adjourn

**Witnesses (if any) will be sequestered outside the conference room or in Zoom waiting room.*

AUG 21 2020

Auditor Lara,

HARDIN COUNTY AUDITOR

Today I write to formally object to the nomination by convention of Donald Primus, candidate for Hardin County Supervisor according to Iowa Code, 43.24 "Objections to nomination petitions or certificates of nomination."

As the Hardin County Republicans recently conducted a similar convention I have learned from Secretary of State Pate's office that the rules and regulations are very clear and shall be followed. The bylaws of the individual non governmental organization dictate the rules in order to nominate by convention. I have obtained those rules from the S.O.S.'s office and after review I am confident that those rules were not followed and thus disqualify Mr. Primus from being listed on the ballot. The particular violation is in regards to the bylaws approved on what appears to be a typewriter style document from nearly a decade fail to address the utilization of electronic means to conduct meetings in which a vote is held and recorded officially. The voting and quorum policy are clear to not include electronic means of participation or official voting.

As shown in the supporting document labeled "I" Iowa Code Chapter 21.2 clearly defines what a "governmental body" means. The document labeled, "II" explains Iowa Code Chapter 21.8 and how electronic meetings shall be utilized by governmental bodies.

I will return to the process that Hardin County Republicans adhered to according to recorded and filed bylaws from 1993. Their bylaws make no mention of electronic meetings, electronic votes, nor any proxy voting. This is why the Republicans held their convention on August 11, 2020 in person at the C.I.J.D.C. At the convention the Hardin County GOP followed their those bylaws and conducted their convention accordingly and have verified the process was followed.

According to the Times Citizen dated August 7th, 2020, "No Democrats filed to run for the seat in the June primary, so the Democrats had to reconvene their county convention to choose a nominee. That convention was held Tuesday via Zoom video conferencing. Patrick Gagnon, vice chair of the County Democrats' central committee and secretary of the convention, said it was well-attended with 51 delegates on the call."

This quote is an admission that the nominee was elected utilizing electronic means (Zoom) by a non-governmental body. This body is not afforded the rights or privileges of a governmental body that would be entitled the use of electronic communications and voting that only pertain to true governmental entities granted those rights and privileges. The argument that the nominee should be allowed due to the emergency declaration by Gov. Kim Reynolds is null and void due to the Hardin County Democratic Party not being an official governmental body. Per the Iowa Secretary of State's office this political body is not an official body and isn't subject to the emergency declaration that allows governmental bodies to conduct meetings and record votes to the official record. The preponderance of evidence indicating that the Hardin County Democrats violated their own bylaws was made clear on August 7th, 2020.

Deviation for this non governmental body's (Hardin County Democrats) own bylaws and rules because of extenuating circumstances is not grounds for turning a blind eye to the rules adopted nearly a decade ago. The use of electronic meeting It is the responsibility of every non governmental entity to maintain bylaws and rules that adapt to their groups needs, their group's desires, and evolution of technology in modern society. In this case if

The fact Vice Chair acknowledges that the convention circumvented the bylaws is the only evidence required by Iowa Code that Mr. Primus should be removed from ballot according to the process and procedures afforded by Iowa Code 43.24 (3)(B).

Printed Name Mark J. Seward

Date Aug 21 2020

Signature 

Iowa Open Meetings Law

21.1 Intent -- declaration of policy

This chapter seeks to assure, through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people.

Ambiguity in the construction or application of this chapter should be resolved in favor of openness.

21.2 Definitions

As used in this chapter:

1. "Governmental body" means:
 - a. A board, council, commission or other governing body expressly created by the statutes of this state or by executive order.
 - b. A board, council, commission, or other governing body of a political subdivision or tax-supported district in this state.
 - c. A multimembered body formally and directly created by one or more boards, councils, commissions, or other governing bodies subject to paragraphs "a" and "b" of this subsection.
 - d. Those multimembered bodies to which the state board of regents or a president of a university has delegated the responsibility for the management and control of the intercollegiate athletic programs at the state universities.
 - e. An advisory board, advisory commission, or task force created by the governor or the general assembly to develop and make recommendations on public policy issues.
 - f. A nonprofit corporation other than a fair conducting a fair event as provided in chapter 174, whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D or a nonprofit corporation which is a successor to the nonprofit corporation which built the facility.
 - g. A nonprofit corporation licensed to conduct gambling games pursuant to chapter 99F.
 - h. An advisory board, advisory commission, advisory committee, task force, or other body created by statute or executive order of this state or created by an executive order of a political subdivision of this state to develop and make recommendations on public policy issues.
 - i. The governing body of a drainage or levee district as provided in chapter 468, including a board as defined in section 468.3, regardless of how the district is organized.
 - j. An advisory board, advisory commission, advisory committee, task force, or other body created by an entity organized under chapter 28E, or by the

administrator or joint board specified in a chapter 28E agreement, to develop and make recommendations on public policy issues.

2. "Meeting" means a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body's policy-making duties. Meetings shall not include a gathering of members of a governmental body for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of this chapter.

3. "Open session" means a meeting to which all members of the public have access.

21.3 Meetings of governmental bodies

Meetings of governmental bodies shall be preceded by public notice as provided in section 21.4 and shall be held in open session unless closed sessions are expressly permitted by law. Except as provided in section 21.5, all actions and discussions at meetings of governmental bodies, whether formal or informal, shall be conducted and executed in open session.

Each governmental body shall keep minutes of all its meetings showing the date, time and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.

21.4 Public notice

1. Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.

2. a. Notice conforming with all of the requirements of subsection 1 of this section shall be given at least twenty-four hours prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Special access to the meeting may be granted to persons with disabilities.

b. When it is necessary to hold a meeting on less than twenty-four hours' notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

3. Subsection 1 does not apply to any of the following:

Laws & Legal Resources.

[View the 2019 Iowa Code](#) | [View Previous Versions of the Iowa Code](#)

2016 Iowa Code
Title I - STATE SOVEREIGNTY AND
MANAGEMENT
Chapter 21 - OFFICIAL MEETINGS
OPEN TO PUBLIC (OPEN MEETINGS)
Section 21.8 - Electronic meetings.

Universal Citation: IA Code § 21.8 (2016)

21.8

Electronic meetings.

1. A governmental body may conduct a meeting by electronic means only in circumstances where such a meeting in person is impossible or impractical and only if the governmental body complies with all of the following:
 - a. The governmental body provides public access to the conversation of the meeting to the extent reasonably possible.
 - b. The governmental body complies with section 21.4. For the purpose of this paragraph, the place of the meeting is the place from which the communication originates or where public

access is provided to the conversation.

c. Minutes are kept of the meeting. The minutes shall include a statement explaining why a meeting in person was impossible or impractical.

2. A meeting conducted in compliance with this section shall not be considered in violation of this chapter.

3. A meeting by electronic means may be conducted without complying with paragraph "a" of subsection 1 if conducted in accordance with all of the requirements for a closed session contained in section 21.5.

[C79, 81, §28A.8]

C85, §21.8

2007 Acts, ch 22, §11

Disclaimer: These codes may not be the most recent version. Iowa may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or the information linked to on the state site. Please check official sources.

PROPOSED CHAPTER 23.24 HEARING PROCEDURES

PRE-HEARING PROCESS

1. The objector and candidate should provide to the Election Commissioner (County Auditor) an email address or other digital address the Election Commissioner can use to communicate to the parties and distribute notices and submitted documents.
2. The objection shall be deemed denied by the candidate, and it shall not be necessary that the candidate provide any response to the challenge prior to the hearing.
3. The objector shall submit (email preferred) to the Election Commissioner, at least 96 hours before the date and time set for the hearing, a list of witnesses (names and addresses) and any legible electronic/digital copies of any documents the objector wants the hearing panel to consider. Late submission by objector shall result in documents not being considered by the panel.
4. The candidate shall submit (email preferred) to the Commissioner, at least 48 hours before the date and time set for the hearing, a list of witnesses (names and addresses) and any legible electronic/digital copies of any documents to candidate wants the hearing panel to consider.
5. The Election Commissioner shall distribute to the hearing panel, the parties and county attorney, within 24 hours of receipt, copies of any witness lists and documents submitted by the parties.

HEARING PROCESS

1. The members of the hearing panel shall designate one of the members to serve as Chair of the hearing.
2. The Chair shall call the hearing to order.
3. The Chair will introduce the panel and ask the objector and candidate to identify themselves.
4. The Chair will read the written objection or summarize the objection(s) to the candidate's nomination.
5. The members of the panel will be the only ones allowed to examine the objector, candidate or witnesses.
6. The Chair will administer oaths to swear or affirm to tell the truth.
7. The Chair will maintain an orderly examination by panel members.
8. The objector will be examined first (not witnesses), followed by the candidate (except that the candidate may designate another witness to be examined on the candidate's behalf).
9. The Chair will identify and receive any documents timely received.
10. Persons listed as witness by either party shall be sequestered until examined by the panel.
11. After the objector and the candidate have been examined, the panel members, at the panel's discretion, may call forward and examine any listed witness.
12. The panel may direct legal questions to the Election Commissioner or County Attorney.
13. The Chair shall call for a vote to close the fact-finding portion of the hearing.
14. Majority rule applies to panel action.

DELIBERATION/DECISION

1. Immediately following the close of evidence, the whole panel shall deliberate in public.
2. The Chair shall call for a vote to sustain or overrule the objection.
3. Majority rule applies to the decision of the panel.

Constitution of the Iowa Democratic Party

As amended on June 16th, 2018

FILED

AUG 28 2020

Preamble

HARDIN COUNTY AUDITOR *je*

We, the people of the Iowa Democratic Party, in order to organize and perpetuate a representative, effective, and responsible party organization in the State of Iowa, advance the interests of the Democratic Party nationally, sustain and advance the principles of social justice and democracy, and uphold civil rights, civil liberties, and constitutional government, do establish this Constitution of the Iowa Democratic Party.

*rec'd @ 1155AM
from D. Primus*

Article I - Name and Membership

Section 1 - Name

This organization shall be known as the Iowa Democratic Party.

Section 2 - Eligibility to Participate

All persons at least 18 years of age as of the date of the next General Election who are residents of Iowa, who support the purposes of the Iowa Democratic Party, and who are registered Democrats, or who register at the time of their request to participate in the process in question as Democrats, shall be eligible to participate as members of this organization.

Section 3 - Young Persons

All young persons who are not eligible to vote in the next General Election, who are residents of Iowa, and who support the purposes of the Democratic Party of Iowa shall

be eligible to participate as full party members except for voting and holding of elective positions within the party, or as restricted by Iowa law.

Section 4 - Members

Unless specifically denied such right by law, all members of the Iowa Democratic Party shall be eligible to participate in all activities of the Party; shall be eligible to be elected as delegates to conventions; shall be eligible to be elected to an office in the Iowa Democratic Party; and shall be eligible to vote on any motion, resolution, nomination, or election affecting the Iowa Democratic Party at any meeting, caucus, conference, or convention in the state, districts, counties, or precincts, provided, however, that such person shall have been elected to a position of such authority and that at the time of such service, holding office, and/or voting, such person shall be a resident within the geographic boundaries of the political subdivision they represent.

Article II - Precinct Caucuses

Section 1 - Party Foundation

Precinct caucuses shall compose the foundation of the organizational structure of the Iowa Democratic Party.

Section 2 - Precinct Caucuses

In Even-Numbered Years: precinct caucuses shall be held each even-numbered year upon a call issued by the State Chair of the Iowa Democratic Party, which call shall be subject to the approval of the State Central Committee of the Party.

The State Chair shall issue the call at least 90 days before the date of the precinct caucuses. The call shall be issued to all County Central Committee officers and all major news

media in the state. The call shall also specify the dates and times for the County, District, and State conventions. A precinct caucus shall be convened for each precinct within the state. In presidential election years, County Central Committees shall arrange for the caucus sites according to the following priority order:

- a. Precinct caucuses shall be held at public meeting facilities or sites used for public meetings located within the precinct boundaries where possible.
- b. If no public meeting facility is available within the precinct boundaries, a public meeting facility in an adjacent or nearby precinct may be used. In nonpresidential years, county central committees may arrange for several precinct caucuses to meet at a common site. Each precinct will conduct separate business at that site. Public meeting facilities shall be used whenever possible. Notification of each precinct caucus shall be as prescribed by law.

Section 3 - Responsibilities

Those members of the Iowa Democratic Party in attendance who are eligible to vote at a caucus, as provided by the Statutes of the State of Iowa shall:

- a. Elect by majority vote precinct committee persons who shall serve on the County Central Committee. The number of precinct committee persons shall normally be two for each precinct. County Central Committee Constitutions may provide for additional Central Committee Members based on the weighting required by Article VIII, Section 7. The initial elections to fill such additional positions shall occur at the precinct caucuses of an even-numbered year.

- b. May elect by majority vote, alternate precinct committeepersons who shall serve, as specified herein, on the County Central Committee in place of elected precinct committeepersons unable to fulfill their responsibilities.
- c. Elect delegates and alternate delegates to represent the precinct at their County Convention. The number of delegates to be elected shall be determined based upon the size of the County Convention and a formula of proportional representation. In presidential years, the election of delegates to County Convention may be by Preference Group as outlined in the Iowa Delegate Selection Plan.
- d. Discuss and may indicate priorities regarding such issues of national, state, and local importance or interest as those in attendance may determine. Platform Resolutions or issue statements adopted by a precinct caucus shall be forwarded to the County Platform Committee in the manner and as directed in the information provided by the Party.
- e. Elect by majority vote members and alternate members of the Platform Committee and the Committee on Committees for such County Convention to represent and cast the votes to which the precinct is entitled on those committees and their subcommittees. Alternate members of the convention Committees may only replace an elected member from the same precinct who is unable to fulfill their responsibilities.
- f. Transact such other party business as may come before it.

Section 4 - Meetings in Odd-Numbered Years

Meetings shall be held upon the call of the State Chair with the approval of the State Central Committee; in the first quarter of odd-numbered years, within precincts and/or jointly in centralized convenient locations within counties, and by vote of those members of the Iowa Democratic Party in attendance, shall:

- a. Discuss and may indicate priorities regarding platform resolutions on such issues of national, state, and local importance or interest as those in attendance may determine; and forward such resolutions to the County and State Platform Committees for such action as their members may wish to take.
- b. Nominate a committeeperson if a vacancy has occurred in that post between the election year caucus and the off-year county central committee meeting. The committeeperson nominated at the off-year meeting shall stand for election by the County Central Committee, and if elected, serve until the completion of the term of the predecessor.

Article III – County Central Committees and Conventions

Section 1 - County Central Committees - Structure

The County Central Committee shall be composed of committeepersons elected at the precinct caucuses. Members term of office shall begin immediately following the Call to Order of the next County Central Committee meeting and shall continue for two years until the successor is elected and qualified; unless they are sooner removed by the County Central Committee for non-residency, inattention to duty, incompetence, or support of a

candidate for public office who is running against a candidate nominated by the Iowa Democratic Party.

The biennial organizational County Central Committee meeting shall take place in the odd numbered years at a time set by the County Central Committee between March 1 and April 1. Members of the County Central Committee assembled shall forthwith elect a Chair, a Vice-Chair, a Secretary, a Treasurer, and such other officers as they may deem necessary. Such officers need not be selected from the County Central Committee membership; however, they shall be qualified voting members of the Iowa Democratic Party. The term of office for each officer shall begin immediately upon election by the County Central Committee, and shall continue for two years, and until the successor is elected and qualified; unless they are sooner removed by the County Central Committee for non-residency, inattention to duty, incompetence, or support of a candidate for public office who is running against a candidate nominated by the Iowa Democratic Party. Vacancies on the Committee shall be filled as soon as possible from alternate precinct committee persons as per Article II, Section 3, Subsection b following majority vote of the County Central Committee attending any official committee meeting provided that due notice of such election was previously given. An alternate precinct committee person may also serve as a substitute at a regular meeting or portion of a central committee meeting if the elected committee member is unable to attend. If no alternate precinct committee persons are elected at the precinct caucuses, the vacancy shall be filled, as soon as possible from a pool of Democrats nominated by one or more members of the central committee, by majority vote of County Central Committee attending any official committee meeting provided that due notice of such election was previously given. The term of office of alternate County Central Committee members elected to fill a vacancy pursuant to either of the two preceding paragraphs, shall

begin immediately following their election and shall continue until the successor is elected and qualified; unless they are sooner removed by the County Central Committee for nonresidency, inattention to duty, incompetence, or support of a candidate for public office who is running against a candidate nominated by the Iowa Democratic Party.

Section 2 - County Central Committees - Meetings

County Central Committees shall meet at least once every three (3) months. The Committee may, by majority vote of those committee members attending any official committee meeting, direct the Chair to call regular meetings at times and places selected by the Committee. The Chair shall cause notice of all meetings to be mailed (postal or electronic) to each member and officer of the Committee at least seven (7) days before the date set for each meeting.

Upon receiving a petition signed by twenty-five (25) percent of the members of the County Central Committee, the Chair shall call a special meeting, which must be held within twelve (12) days of the receipt of such petition.

Section 3 - Conventions/Responsibilities

County Conventions by vote of the accredited delegates shall:

- a. Elect delegates and alternate delegates to the Congressional District Convention. Such delegates and alternate delegates so elected shall also represent the county at the State Convention. No delegates to District or State Conventions shall represent less than one vote.
- b. Approve, adopt, and may indicate priorities regarding county platform resolutions.

- c. Elect members and alternates to Congressional District Convention Committees. At least ten (10) days prior to the County Convention, each of the convention committees shall nominate individuals to serve on the corresponding committee of the District Convention. At the County Convention, further nominations may be accepted. Elected alternates to District Convention Committees may only replace an elected convention committee member from their own county.
- d. Transact such other party business as may come before the convention.

Article IV - Legislative District Organization

No provision in the Constitution shall prevent Legislative Districts from organizing for purposes consistent with the Constitution and regulations set down by the State Central Committee.

Article V - Congressional District Committees and Conventions

Section 1 - Congressional District Central Committees

- a. Congressional District Central Committees shall exist. The membership shall consist of the District Committeepersons on the State Central Committee, and one person for each full 5,000 votes cast for the Democratic candidate for Congress in the last two General Elections. Each county shall have at least three members.
- b. One member shall be the County Chair or the Chair's designee. Others shall be elected by the County Central Committee at their first regular meeting following their

biennial organizational meeting specified in Article III, Section 1.

- c. The Chair of the District Central Committee shall be elected by the District Central Committee Members and reside in the District. The primary purpose of the District Central Committee shall be the election of a Democratic member of Congress. The District Central Committee shall also be responsible for assisting the election of legislators from districts that cross county lines.
- d. Each County may elect alternates to the district committee to serve as substitutes at District Central Committee meetings if the elected committee person is unable to attend. The number of alternates should not exceed twice the number of apportioned county representatives to the district committee. It is the responsibility of the county chair and the elected representative to notify an alternate if they are to be a substitute for them at a given meeting.
- e. The District Central Committee shall hold a minimum of one meeting every three months. A report of the financial status and programs of the State Central Committee as well as the financial status of the district shall be presented.
- f. The District Central Committee shall conduct a district workshop in odd- numbered years, which shall be open to all active Democrats. This workshop may be one of the required meetings.
- g. The Chair of the District Central Committee shall propose programs of activities for the Committee.

Section 2 - Conventions, Call and Apportionment

Congressional District Conventions, composed of delegates elected at County Conventions to represent their respective counties at such District Conventions, shall be held each even-numbered year within the Congressional Districts. The State Chair, subject to the approval of the State Central Committee, shall issue a call for such conventions in the same manner and at the same time that the call for precinct caucuses is issued. The number of votes to which each county shall be entitled in such conventions shall be the same as for the State Convention as based upon the weighting required by Article VIII, Section 7.

Section 3 - Conventions, Responsibilities

District Conventions, by vote of their accredited delegates present, shall:

- a. Elect eight district committeepersons, by majority vote, no more than half of whom may be from one gender identity, who shall represent such district on the State Central Committee of the Democratic Party of Iowa, and whose terms of office shall commence immediately following the next State Convention, and shall continue for two years, and until the committeeperson's successor is elected and qualified.
- b. Elect members and alternates of all committees for such Convention, to represent and cast the votes to which such District is entitled on such committees. At least fifteen (15) days prior to the District Convention each of the Convention Committees shall nominate individuals to serve on the corresponding committees of the State Convention. At the District Convention, further nominations may be accepted. Elected alternates to State Convention Committees may only replace an elected convention committee member

from their own district. The number of members and alternates on all committees to the State Convention from each Congressional District shall be determined by the State Central Committee for the Iowa Democratic Party, in advance of the District Conventions, based upon the weighting requirements of Article VIII, Section 7. The number of members, the number of alternates, and the formula used to calculate them, shall be provided to the District Central Committees and District Convention Committees at least 21 days prior to the District Conventions. The dates and the locations of the first State Convention Committee meetings, and the temporary chair contact information shall also be given to the District Central Committees and District Convention Committees at least 21 days prior to the District Conventions.

- c. Transact such other party business that may come before them.

Section 4 - Convention Committees' Formation and Responsibilities

- a. Each District Convention shall be led by District Committees on Arrangements, Credentials, Rules and Nominations, and Platform.
- b. The State Chair, in consultation with the State Central Committee, shall apportion membership on the above District Convention Committees to the counties within each district in keeping with the provisions of Article VIII, Section 7.
- c. Members of the above District Convention Committees shall be elected by county conventions; election shall be by the convention as a whole.

- d. Each District Convention Committee shall nominate to the District Convention those members of the committee which it recommends be elected to serve on the corresponding permanent Committee of the State Convention; election shall be by the convention as a whole.
- e. Each District Convention Committee shall make a report to the District Convention for the consideration and action of the District Convention.
- f. Members of State Convention Committees shall carry to their State Committee meetings reports of the priority concerns and formal actions of the District Convention and Committee for the consideration of the State Committees. Such reports shall include recommendations on how to improve the Iowa Democratic Party's Caucus/Convention Process in future years.

Section 5 - National Convention Delegates' Election

In each Presidential election year, District Conventions shall elect their District's proportionate share of Iowa's delegates and alternate delegates to the National Democratic Presidential Convention. The State Central Committee shall determine the number of delegates to be elected from each District according to the weighting requirements of Article VIII, Section 7.

Article VI - State Central Committee and Convention

Section 1 - State Central Committee Authority

The State Central Committee of the Iowa Democratic Party shall be the governing body of the Party when the State

Convention is in adjournment; however, such actions by the State Central Committee shall be in accord with the expressed policies of the State Convention and the provisions of this Constitution.

Section 2 - State Central Committee Structure

- a. The State Central Committee shall be composed as follows: The District Committeepersons from each Congressional District, the National Committeepersons, the Chair and Vice Chair of the State Affirmative Action Committee, the President of the Iowa Young Democrats, State Rules Chair, State Platform Chair, and the elected chairs of the twelve Constituency Caucuses. These Committee members shall be entitled to vote on all policy matters not in conflict with the Code of the State of Iowa. If the State Rules and Platform Committees elect Vice-Chairs, they may vote at SCC meetings in the absence of the State Rules or Platform Chair, or if the State Rules or Platform Chair is already voting in another capacity.
- b. The Constituency Caucuses include the Black, Latino, Asian & Pacific Islander, Disability, Stonewall, Native American, Women, Senior/Retirees, Labor, Rural, Progressive and Armed Forces Veterans caucuses.
- c. Membership of these constituency caucuses shall consist of all of each groups' registered Democratic representation at their respective biennial organization meeting. Each Caucus shall meet one half hour after the start of the seating of delegates on the day of each State Democratic Convention and shall then elect a Caucus Chair by a majority vote and a Caucus Vice-Chair, also by a majority vote, to be their representatives on the State Central Committee. The results of the said elections shall be reported to and ratified by the entire Convention. An alternative method of electing and/or filling a Chair or Vice

Chair vacancy for a Constituency Caucus shall be during a meeting of the Constituency Caucus scheduled with adequate notice to its members that filling the vacancy will be included in the meeting agenda. Both the Caucus Chair and Vice-Chair shall be members of the State Central Committee. The Caucus Vice-Chair shall vote only in the absence of the Caucus Chair, or if the Caucus Chair is already voting in another capacity.

Notwithstanding any other provision in this Constitution, a person shall not hold more than one seat on the State Central Committee. If a person has been elected to the State Central Committee at the most recent district convention and is elected before the next district convention to a position that would give the person another seat on the State Central Committee, the body electing the person to that additional seat shall elect another person to represent that body on the State Central Committee. All Constituency Caucuses shall elect a Chair, a Vice Chair and a provisional SCC Member should the Chair or the Vice Chair also hold another position on the SCC, now or in the ensuing two years. If the person is elected to the SCC after the State Convention and holds another voting position on a Caucus or Committee then the Caucus or Committee will immediately elect another person to fill that position. In the case of the constituency caucuses, the voting role would automatically be filled by the Caucus Vice Chair, unless they also already hold a seat on the State Central Committee in which case the provisional SCC Member of that Caucus or Committee will be the voting member. The Rules and Nominations, Platform and Affirmative Action Committees shall elect a chair, a Vice Chair and a provisional SCC Member should the Chair or Vice Chair also hold another position on the SCC, now or in the ensuing two years. If the person is elected to the SCC after the State Convention and holds another voting position on a Caucus or Committee then the Caucus or

Committee will immediately elect another person to fill that voting position.

- d. **Election of officers:** The State Central Committee shall meet and organize no later than thirty (30) days following the adjournment of the State Convention. Members of the State Central Committee shall elect a Chair, Vice-Chair, a Secretary, and a Treasurer and such other officers that they may deem necessary within ninety (90) days following the general election. Such officers need not be members of the State Central Committee however; they must be eligible members of the Iowa Democratic Party. The term of office of each officer shall be for two years and until their successor is elected and qualified.
- e. **Meetings of Committee:** The State Central Committee shall meet at least once every three (3) months. Meetings of the Committee may be called by the Chair as deemed necessary. Regular meetings at stated times and places may be scheduled by a majority vote of the Committee in attendance at an official meeting. A special meeting of the Committee may be called by any ten (10) members of the Committee, provided they cause to be mailed (postal or electronic) to all other members and officers of the State Central Committee a signed petition designating the time and place proposed for such meeting, which shall be held no less than five (5) days after the mailing of the petition. The State Chair shall cause five (5) days' notice by mail or three (3) days' notice by electronic mail or telephone, to be given to each member and officer of the Committee for all other meetings, regular or special.
- f. **Quorum:** The State Central Committee shall conduct no business in the absence of a quorum, which shall consist of a simple majority of the voting members.

- g. **Elected and Party Leaders:** The Democratic floor leader in the House of Representatives and Senate of the Iowa General Assembly, and the Democrats holding offices of Governor, Lieutenant Governor, and Speaker of the House, the elected representative of the Democratic County Elected Officials Organization, and the elected representative of the Association of Democratic County Executives shall be extended an invitation and may attend all meetings regular or special of the State Central Committee in ex-officio, nonvoting status.

Section 3 - Members' Terms and Vacancies

- a. The term of office of a member of the State Central Committee shall begin immediately following the adjournment of the State Convention and shall continue for two years and until their successor is elected and qualified, with the exception of the election to fill a vacancy of a Constituency Caucus Chair or Vice Chair held between state conventions pursuant to Section 2. When there is a vacancy of a district committeeperson on the State Central Committee which has occurred other than at the expiration of a regular term, a new member shall be elected by a majority of votes cast by the County Chairs and County Vice-Chairs of the Congressional District in which the vacancy occurs. These County Central Committee officers shall cast the number of votes allotted to their respective counties in the last previous State Convention. If a Chair and Vice-Chair from the same county cannot agree on a candidate, each shall be allowed to cast one-half of the number of votes to which their county is entitled for the candidate of their choice. A member of the State Central Committee may be removed by majority vote of the State Central Committee for failure to attend three consecutive State Central Committee meetings without a valid excuse, non-residency, or for support of a candidate for public office who is running

against a candidate nominated by the Iowa Democratic Party.

- b. **Officer Vacancies:** Vacancies in the Chair, Vice-Chair, Secretary, Treasurer, and other elective offices of the State Central Committee shall be filled by the State Central Committee upon a majority vote of the members present and voting at an official meeting for which prior notice of the election was properly made in the call for the meeting.

- c. **National Committeepersons:** The allotted number of National Committeepersons shall be elected by a majority vote of the delegates to the State Convention held during presidential years. The term of office shall be for a period of four years and until their successors are elected at the next State Convention held during a presidential election year. Until such time as the National Democratic Party recognizes nonbinary, agender and genderqueer persons in the gender balance requirement, nonbinary, agender and genderqueer National Committeepersons will be considered male for purposes of gender balance. Vacancies in the office shall be filled by the State Central Committee upon a majority vote of the members present and voting at an official meeting for which prior notice of the election was properly made in the call for the meeting. The National Committeeperson so elected by the State Central Committee shall serve out the term of the vacancy except in the event the vacancy occurs prior to the State Convention in a non-presidential year. Then the term so filled shall expire at the close of the next State Convention following such vacancy and the delegates at that Convention shall elect the National Committeeperson to fill out the remaining term of vacancy.

Section 4 - State Chair and Vice-Chair

The State Chair's duties shall be those of a chief executive officer. The Chair of the Iowa Democratic Party may be paid a salary or serve in a voluntary capacity. Candidates for the Office of Chair must report prior to the election, to the State Central Committee, whether they intend their service to be paid or to be voluntary. They may provide for the employment of any office personnel necessary. Employment of personnel by the State Chair shall be subject to the approval of the State Central Committee. The State Vice-Chair shall assume the duties of the State Chair during that officer's absence.

Section 5 - Secretary

The Secretary shall be in charge of all files and records of the Party, and it shall be their duty to prepare necessary documents, and preserve such files and records as may be necessary.

Section 6 - Treasurer

- a. The Treasurer, in concert with the State Central Committee, shall determine who shall have custody of the funds for the Party, which shall be under the control of the State Central Committee. The Treasurer shall cause written accounts of receipts and disbursements to be prepared prior to each regular meeting of the State Central Committee. These written accounts shall be a record of all receipts and disbursements subsequent to the last previous report and shall be presented to the members of the State Central Committee at each regular meeting. They shall also make a report of total receipts and disbursements subsequent to the last previous State Convention, to each State Convention.

- b. **Bonds and Audit:** The Treasurer, and any other officer or employee who may be responsible for the handling of the State Central Committee funds shall be under bond, the amount to be determined by the State Central Committee. The State Central Committee shall cause an audit of all financial records and transactions of the State Central Committee accounts to be made by a certified public accountant at least once in each calendar year, and at such other times as may be directed by the State Central Committee. A copy of the findings of each audit shall be sent to each member and officer of the State Central Committee upon completion.

Section 7 - State Convention Powers

The State Convention is the supreme governing body of the Iowa Democratic Party.

Section 8 - State Convention Call

Each even-numbered year the State Chair shall, subject to the approval of the State Central Committee of the Party, issue a call for the State Convention in the same manner and at the same time as the call for precinct caucuses, setting forth:

- a. The number of delegates to which each county shall be entitled in that Convention shall be based upon the weighting required by Article VIII, Section 7.
- b. The time and place of such convention.
- c. All other available information and documents necessary for the conduct of such convention. The State Chair shall cause such call to be sent to all members of the State Central Committee, and to the Chair and Vice-Chair of each County Central Committee.

Section 9 - State Convention Responsibilities

The State Convention, by vote of its accredited delegates present, shall:

- a. Approve, adopt, and may indicate priorities with respect to a party platform.
- b. Determine all other matters of party concern.
- c. In each year, when the election of the office of President of the United States is to be held, the State Convention shall:
 1. Elect the remainder of the delegates and alternate delegates to the National Democratic Convention not elected at the District Conventions and,
 2. Elect the National Committeepersons by majority vote of the delegates present and voting at the state convention.
- d. In each year, when the election of the office of Governor of the State of Iowa is to be held, the State Convention delegates shall ratify the Democratic nominee for Lieutenant Governor who shall be nominated by the Democratic nominee for Governor.

Section 10 - Convention Committees

The State Convention shall be led by State Committees on Arrangements, Credentials, Rules and Nominations, and Platform. Each Committee shall consist of those members elected at the Congressional District Conventions and all members shall be entitled to cast one vote. All meetings shall be open to the public; shall be widely publicized by the State Chair, and shall be held in places easily accessible to those wishing to attend meetings of the Committees. The

Platform Committee membership shall also include the Democratic Governor or the Governor's representative, the Democratic leader of the Senate, the Democratic leader of the House, and such at-large members as may be selected by the State Chair with the approval of the State Central Committee of the Party. In no event, shall the at-large members of the committee constitute more than twenty percent (20%) of the elected members of the Committee. The Committee shall consider but not necessarily include in its report, all platform planks and resolutions adopted at Congressional District Conventions held in that year. A copy of the party platform proposed by the Platform Committee shall be distributed to each delegate elected to the State Convention not less than seven (7) days prior to the date designated for the convening of the State Convention.

Section 11 - State Convention Committee Vacancies

The State Chair shall, in concert with and subject to the approval of the State Central Committee of the Iowa Democratic Party appoint such special convention committee members that have not been elected by the District Conventions prior to the first meeting of each convention committee. The State Chair shall appoint members to such committees from a list of nominees for each Congressional District. Each Congressional District shall be represented on each committee and members of said committee shall be evenly distributed, as nearly as possible, among the Congressional District.

Article VII - Restrictions on Delegates Prohibited

Section 1 - Instructions

No delegate to any County, District, State, or National Convention may be bound to the instructions of the precinct

caucus, County, District, or State Convention by which such delegates were elected.

Section 2 - Unit Rule

No delegate may be required, by a majority of the members of their delegation, to vote as a majority determines, under the "Unit Rule."

Section 3 - Restrictions

No delegate certified by the Credentials Committee to any County, District, State, or National Convention shall be in any manner prohibited or restricted from voting on any matter before such convention.

Section 4 - Fees

No delegate's right to fully participate or vote in any convention shall be dependent on the payment of a delegate fee.

Article VIII - Delegate and Committee Selection Procedure

Section 1 - Proportional Representation

All caucuses, conventions, committees, and Democratic Party Officials shall take such practical steps as may be within their legitimate power to assure that all caucuses, conventions, and committees shall include: men, women, various age groups, racial minority groups, economic groups, and representatives of identifiable geographically defined populations - all in reasonable relationship to the proportions in which the groups are found in the populations of the respective constituencies. In the spirit of the above, all caucuses, conventions, and committees will also endeavor to include citizens of all national origins, ethnic identities,

religions, sexual orientations, gender identities, and disabilities.

Section 2 - Majority and Minority Viewpoints

Delegates to all conventions shall reflect, as accurately as possible, the varying majority and minority viewpoints of those engaged in the delegate selection process. A convention or precinct caucus shall, when at least 15% of the delegates present desire to form a single preference group, (except for the purpose of selecting national delegates in which case the proportion shall be set by the Democratic National Convention delegate selection rules); divide into groups in order to elect delegates, alternate delegates, and convention committee members and alternate members to the next level under the following provisions:

- a. The number of representatives to the succeeding convention to be apportioned to each group shall be determined by taking the ratio of each preference group's size, the size of the total precinct caucus or convention, and applying that ratio to the total number of representatives to be chosen.
- b. In presidential years, each precinct caucus and convention shall be apportioned by presidential candidate preference group if a vote of at least 15% of the Democrats present vote to do so.
- c. In other years, each precinct caucus and convention may be apportioned by candidate, issue, or other category.
- d. Nominations shall be made, as appropriate, by each preference group according to the prevailing situation at the time of each precinct caucus or convention.

- e. No more than a simple majority of the national convention delegates or alternate delegates shall be elected at one time.
- f. Convention rules shall contain clear provisions for achieving gender balance within preference groups in keeping with the National Democratic Party requiring that the Iowa delegation to the National Convention be gender balanced as a whole, and within each presidential preference group. The chair of the Committee on Rules and Nominations shall explain the provisions for achieving gender balance to the convention. Until such time as the National Democratic Party recognizes nonbinary, agender and genderqueer persons in the gender balance requirement, nonbinary, agender and genderqueer National Committeepersons will be considered male for purposes of gender balance.

Section 3 - Naming Own Replacement

In case a delegate may be temporarily or permanently absent from the proceedings of any convention, the delegate may choose a temporary or permanent replacement from among the alternates of the delegate's preference group. If the delegate refuses or is unable to select a replacement, the delegation shall choose one of the alternates from the same preference group to replace that delegate.

Section 4 - National Convention Delegates

Candidates for the position of delegate or alternate delegate to the Democratic National Convention shall be required to submit a petition that is to be filed with the Chair of the Rules and Nominations Committee at the Convention by the time stated in the published rules. Each petition shall include a signed statement of support for a Democratic Candidate for President and be signed by one percent of the delegates to the convention. Each presidential candidate's state or district

representative, as appropriate, shall have an opportunity to approve or disapprove the inclusion of each National Delegate candidate in a process outlined in the Delegate Selection Plan. A valid petition for the national delegate position shall be considered a valid petition for the national alternate delegate position.

Section 5 - Nominee of the Party

In all cases where a Convention or Committee must elect the nominee of the Party, the nominee shall be elected by a majority vote of those delegates or committee members present and voting. In the instance of a reconvened Convention, the delegates and alternates shall be those originally elected to the Convention, preference affiliations of alternates being of no consequence unless such affiliations pertain to candidates for the office in question.

Legislative District Nominations: In those instances where a nominating convention crosses county lines, the delegates shall be the precinct committee members from each precinct included in that legislative district. Each delegate present shall cast an equal share of the votes apportioned to the member's precinct based on the number of votes cast for the Democratic candidate for the same office in the most recent general election. The nominee shall be elected by attaining a majority of those votes cast under this procedure.

Section 6 - Temporary Chair

The Temporary Chair of each caucus or convention or other Party committee shall be designated by the County Chair, by agreement among the district committee persons, or by the State Chair, corresponding to the level of the caucus, convention, or committee. Said designees are automatically nominated for election to the position of permanent chair of the caucus, convention, or committee. Said designees shall work with the person(s) making the appointment and the staff

of the Iowa Democratic Party (at the state convention level) well before the first meeting of the caucus, committee, or convention to expedite the work to be done by all. The state chair shall designate the temporary chairs of the state convention committees at least 21 days before the scheduled date for the congressional district conventions.

Section 7 - Apportionment of Delegates

Apportionment of delegates to conventions and to district and state convention committees shall be according to a formula which gives equal weight to the Democratic votes cast in the most recent electoral contests for United States President and the Governor of Iowa.

Article IX - Affirmative Action Committees

Section 1 - Structure

The State Affirmative Action Committee shall consist of one member from each Congressional District elected every two years at district conventions, three members appointed by the State Chair and approved by the State Central Committee, and the Chair of the State Affirmative Action Committee to be elected every two years at the state convention. The District Affirmative Action Committees shall consist of the State Affirmative Action Committee members elected at the district conventions who shall serve as Chairs of their respective district committees, and one member from each county within the congressional district elected every two years at county conventions. The County Affirmative Action Committee shall consist of the District Affirmative Action Committee members elected at county conventions who shall serve as Chairs of their respective county committees and two or more additional members elected by County Central Committees at the first regular meeting following their biennial organizational meeting specified in Article III, Section 1. The Affirmative Action Committee

shall elect a Vice Chair, who shall also be a member of the State Central Committee, within 90 days of adjourning the last State Convention or their next meeting whichever is earlier.

Section 2 - Responsibilities

The Affirmative Action Committees shall promote recruitment of new members into the Iowa Democratic Party and encourage their full participation in the caucus/convention, platform-development, and delegate-selection processes, and within central committees and other party organizations with particular concern toward those groups that have been historically under-represented within the Iowa Democratic Party.

Section 3 – Bi-Annual Affirmative Action & Constituency Caucus Convention

An Affirmative Action & Constituency Caucus Convention shall take place each odd-numbered year to afford the Constituency Caucus groups an opportunity for networking with the State, District, & County Affirmative Action Committees and amongst the Constituency Caucuses. The biennial organizational meeting of the Constituency Caucuses may take place during this convention rather than the state convention in the even-numbered years.

Article X - Credentials Challenges

Section 1 - Initiation

Any Democrat may challenge any delegate or alternate certified to any convention by notifying the County, District, or State Chair in writing at least ten days before the date of the Convention. At the same time, a copy of the challenge shall be sent by the challenger to the delegate or alternate who is challenged.

Section 2 - Contents

A challenge shall include the basis for the challenge, the name and address of the challenged delegate or alternate, and the name and address of the challenger.

Section 3 - Notice

The Chair notified of the challenge shall send all challenges to the Credentials Committee Chair of the Convention in question and to the delegates or alternates who are challenged as soon as possible after they are received.

Section 4 - Call of Meeting

The Chair of the Committee on Credentials shall convene the committee at a publicized location at least one hour before the time when the Convention is to meet. Both the challenged delegate/alternate and the challenger shall be notified of the meeting time and place.

Section 5 - Committee Consideration

The Committee on Credentials shall consider any statements from the challenger, from the delegate or alternate being challenged and from any other person who wishes to testify on the challenge. In hearing a challenge, the Committee on Credentials may allot a period of time within which the challenger and challenged shall be granted equal time to make their statements.

Section 6 - Report to Convention

In case of an appeal of the Credentials Committee findings, the Credentials Committee shall report to the Convention the name of the delegate or alternate who it believes is entitled to participate in the Convention. A minority of the Committee on Credentials may present a minority report of the challenge

to the Convention. When a number of challenges are to be resolved, the Committee on Credentials shall report on each in alphabetical/numerical order by County or by precinct in which the delegates or alternates being challenged reside.

Section 7 - Convention Action

The Convention shall vote on the report of the Committee on Credentials on each challenge being made. The report of the Committee on Credentials on each challenge must be approved by a majority vote of the Convention before a delegate or alternate being challenged may participate in the Convention. No challenged delegate or alternate may vote on the report of the Committee on Credentials that involves the delegate's challenge.

Article XI - Minority Reports

Upon a vote of 10% of the elected members of any Convention Committee, a minority report of the Committee shall be prepared and presented to the full convention.

Article XII - General Provisions

Section 1 - Code of Iowa

The relevant sections of the Code of Iowa election laws are made a part of this Constitution. No provision of the Constitution is meant to supersede or abrogate any of the provisions of the Statutes of Iowa.

Section 2 - Absentee Ballots

No voting by absentee or proxy ballot shall be permitted at any meeting or convention of the state, district, county, or precinct organizations or at any meeting of any organization affiliated with and subordinate to the Iowa Democratic Party

unless specifically authorized by a 2/3 majority vote of the State Central Committee of the Iowa Democratic Party.

Section 3 - Secret Ballot

No secret ballots shall be used by elected representatives at any convention or central committee meeting.

Section 4 - Quorum

No convention shall elect delegates to the next level convention in the absence of a quorum of at least forty (40) percent of the accredited delegates to the convention.

Section 5 - Open Meetings

All meetings of Democratic Central Committees and Conventions, and of their committees, shall be open in the same manner as an agency of the state government is required to hold open meetings.

Section 6

Subsection A - Platform Committees Party Platforms: The Platform Committees of the County, District, and State Convention may be continuing bodies that may act as organizing committees to advocate the enactment of their platforms. The State Central Committee shall be responsible for enactment of the provisions of the State Party Platform by:

- a. Researching public statements, voting records, and performance of official duties of elected officials within their constituencies;
- b. Developing proposals for legislative action in keeping with the Iowa Democratic Party Platform;

- c. Giving guidance to the Democratic Party Leaders and to the Democratic Elected Officials regarding the Iowa Democratic Party's position on matters of legislative priority or public policy as set forth in the State Party Platform;
- d. Making preliminary preparations for the next caucus/convention process of platform development. In these efforts, the State Central Committee shall work in close cooperation with Democratic elected officials. For purposes of Platform Committee reports, word limits shall not be changed between January 1 and June 30 in an election year (during the caucus to convention cycle). Any public hearing on the platform shall not be held on the same day as the convention.
- e. Additionally, the Committee will provide education on Platform resolution development and submission for the Caucus to Convention Cycle, engage proactively in outreach activities to ensure interested Democrats throughout the State are informed, and provide the SCC with needed updates as to the issues most concerning to constituents.

Subsection B - Rules Committees: The Rules Committees of the County, District, and State Conventions shall work in consultation with the other Convention Committees to produce fair and efficient rules for their convention. Additionally, the Committees may be continuing bodies that:

- a. Will provide education and consultation on rule making for the Caucus to Convention Cycle;
- b. May provide recommendations and resources to County Parties and District Committees to assist with their rules drafting;

- c. Will engage proactively in outreach activities to ensure interested Democrats throughout the State are informed of their rights and responsibilities to participate in the Iowa Democratic Party; and,
- d. Will provide the SCC with necessary updates as to the issues most concerning to constituents.

Section 7 - Chartered City

Any organization functioning as a Democratic City Central Committee in a special chartered city shall be governed by this Constitution and the rules and procedures of the Iowa Democratic Party. The rules and procedures of a City Central Committee cannot be in conflict with the rules and procedures of the Iowa Democratic Party with the exception of those specifically covered by the laws of the State of Iowa.

Section 8 - Accessibility

In accordance with the guiding principles of the Iowa Democratic Constitution, at no time shall it be acceptable to prevent the participation or abridge the rights of an otherwise qualified participant in Democratic Party activities. All Democratic polling places, Precinct Caucus locations, County, District, and State Convention sites (including Convention Committee and Constituency Caucus sites) and all Central Committee and their Constituency Caucus Meetings at all levels are to be totally accessible to People with Disabilities for the purposes of the type of activity to be conducted at each site.

Additionally, it shall be the responsibility of the Temporary/Permanent Chair of any event to ensure that there is a timely and appropriate opportunity for those who have a need for an accommodation to request such, and barring an extraordinary burden on the Iowa Democratic Party, such accommodation be made. It will be acceptable

and encouraged for coordinators of any activity to anticipate requests for accommodation, whether received or not, and to act proactively. At no time will the members of the majority require a minimum number of people to make the same request.

Section 9

All County, District, and State Convention organizing committees duly elected under the applicable provisions of the Code of Iowa, this Constitution and Iowa Democratic Party Bylaws shall publish a booklet containing the reports of the Arrangements, Rules and Nominations, Credentials, and Platform committees, and such other information as may be deemed necessary for the operation of the convention. The Arrangements committee shall cause this booklet to be physically distributed as a paper booklet or distributed in electronic format no later than seven (7) days prior to the start of the convention. The Arrangements committee shall have the option of publishing the booklet in electronic format under the following conditions:

- a. A separate paper credential document, which shall include an alternate designation form and instructions for obtaining a paper version of the booklet, must be mailed to each duly elected delegate to the convention. This credential will be mailed no later than seven (7) days prior to the start of the convention.
- b. The electronic booklet will be published in a computing platform-neutral format and be easily available for public download. The credential document will include instructions for downloading the booklet.
- c. The electronic booklet will under no circumstances include any credential or alternate designation documents. Possession of a convention booklet without the appropriate credential documents shall not constitute

evidence that the possessor has been elected as a delegate.

- d. All convention committees publishing electronic booklets must provide paper copies to any delegate on request no later than three (3) days prior to the start of the convention. The credential document shall include instructions informing delegates how to obtain a paper copy of the booklet and the responsible party to contact to get a paper booklet.
- e. Delegates who request a paper copy shall not be charged any additional fees for a printed booklet. All convention committees who choose to publish printed booklets rather than electronic booklets shall continue to include their credential documents and alternate designation forms with their booklets and shall continue to distribute their booklets by physical means as described above.

Article XIII - Affiliated Organizations

Section 1 - Terms of Affiliations

Organizations subordinate to and affiliated with the State Central Committee or any County Central Committee may be recognized and encouraged provided written consent of the State Central Committee and the appropriate County Central Committee is obtained.

Section 2 - Youth Caucuses

Iowa Democratic Party Youth Caucuses may be created to promote and encourage the ideals of the Iowa Democratic Party. The Iowa Democratic Youth Caucuses may organize activities, formulate viewpoints, aid in campaigns, and aid in

any other functions to the betterment of the Iowa Democratic Party.

Article XIV – Amendments

This Constitution may be amended at any State Convention by a majority vote of the accredited delegates assembled in the Convention. All proposed amendments must be in writing and submitted by an elected delegate to the State Convention, and be delivered to the State Chair not less than thirty (30) days prior to the State Convention, and be included in the convention booklet distributed to all delegates to the State Convention.

BYLAWS
DEMOCRATIC PARTY OF HARDIN COUNTY, IOWA

FILED

AUG 28 2020

HARDIN COUNTY AUDITOR *je*

ARTICLE I.

Section 1. All previous bylaws of the Hardin County Democratic Party are hereby revoked, and the article herein shall be the bylaws of the Hardin County Democratic Party, hereafter referred to as "the party."

*rcd @ 1155 AM
From D. Primus*

ARTICLE II.

Section 1. The officers of the party (Constitution, Article V) shall be elected by a majority vote of the central committee. The term of office for each officer shall begin immediately upon election by the county central committee, and shall continue for two (2) years, or until their successor is elected and qualified, unless he or she is removed by the County Central Committee for: nonresidency; inattention to duty; incompetency; support of a candidate for public office who is running against a candidate nominated by the party; or fails to attend three (3) consecutive meetings without a valid excuse.

Section 2. Central Committee members, consisting of two (2) members from each precinct, shall be elected every even numbered year at the caucus and shall serve for two (2) years or until a successor is chosen. Positions on the Central Committee not filled by election shall be filled by majority vote of the Central Committee.

Section 3. Officers need not be a central committee member. Any member is eligible to serve as an officer.

Section 4. Nominations for officers shall be by voice, and election of officers shall occur at the Central Committee meeting within ten (10) days of the county convention and plurality vote shall elect.

Section 5. Duties of the officers shall be:

A. Chairperson

- a. shall preside at all meetings
- b. shall authorize expenditures
- c. shall have power to appoint subcommittee members and subcommittee chairmen
- d. shall appoint Finance Chairman
- e. shall appoint ad hoc committees

B. Vice chairperson

- a. shall preside in the absence of the chairperson
- b. shall perform duties assigned by the chairperson to him or her from time to time or as designated by the Central Committee

C. Secretary

- a. shall preserve records and reports made to Central Committee
- b. shall keep complete records of proceedings in the form of minutes of the Central Committee meetings
- c. shall keep record of appointments and keep attendance record of Central Committee members
- d. shall send notices of Central Committee and/or special meetings

2020 JUN 29 AM 11:26

2020 JUN 29 AM 11:26

D. Treasurer

- a. shall keep records of all money receipts and expenditures, including names of donors and list of items and services purchased by each expenditure
- b. shall issue payments for expenditures
- c. shall perform all state statutory duties

ARTICLE III.

Section 1. The following committees shall be permanent, with committee chairpersons and committee members to be appointed by the party chairperson and shall perform the following duties:

A. Finance Committee

- a. audit party accounts and records once a year and whenever a treasurer leaves office
- b. develop ways and means of raising funds

B. Election Committee

- a. recruit candidates for public office
- b. coordinate campaigns of party candidates
- c. promote the registration of voters
- d. insure that party absentee votes are cast
- e. coordinate election day activities

C. Publicity Committee

- a. publish notices of party meetings and activities
- b. compose party election advertisements

Section 2. If a committee vacancy occurs, the vacancy must be announced at one(1) regular meeting of the Central Committee and shall be filled at the following regular meeting.

Section 3. All committees shall be accountable to the Central Committee Chair and/or vice chair who shall both be ex-officio members of all committees.

ARTICLE IV.

Section 1. The chairperson shall be the presiding officer at all Central Committee and general meetings. In the absence of the chairperson, the presiding officer shall be in the following order; vice chairperson, secretary, treasurer. Committee chairpersons shall preside at committee meetings.

Section 2. A quorum of not less than one-third (1/3) shall be necessary to transact business.

Section 3. Meetings shall be conducted according to guidelines from the Iowa Democratic Party, the Hardin County Party Bylaws and Constitution and the Code of Iowa.

Section 4. Any conflict between procedures in section three (3) shall be decided by giving preference to the authority first named therein.

Section 5. All questions of procedures not resolved by section three (3) shall be resolved by reference to "Roberts Rules of Order, Newly Revised."

Section 6. The chairperson or presiding officer shall decide questions of order.

ARTICLE V.

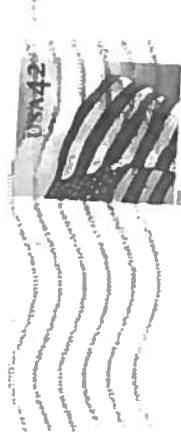
Section 1. These bylaws may be amended at any regular meeting of the Central Committee by a two-thirds (2/3) vote of the members present, provided that the amendment has been submitted in writing at the previous regular meeting and included with the notice of the meeting at which it is to be acted upon.

5/20/81 *Cond*

1/26/09

Hardin Co. Democrat

Donna Mae Roberts, Sec.
25093 Co. Hwy. D-15
Iowa Falls, IA 50126-8730



DES MOINES, IA, 500

29 JAN 2009 PM 4 T

*Electors Division. Attn. Jack Beeson
Iowa Secretary of State's Office
Lucas Building, First Floor
321 E. 12th St.*

Des Moines, IA 50319

50319\$1002 



IOWA SECRETARY OF STATE Paul D. Pate

- Home
- Business Services
- Search Databases
- Online Filing
- Elections
- Notaries
- Nonprofits
- Youth

TEMPORARY PARTIAL CLOSURE We are temporarily closing our lobby through September 16th. Click here for additional information.

Home » Search Databases » Business Entities » Results » Summary

Business Entity Summary

FILED print

AUG 28 2020

HARDIN COUNTY AUDITOR

jl
rc'd from D. Pate
@ 2:30 pm

Summary [Address](#) [Agent](#) [Filings](#) [Names](#) [Officers](#) [Stock](#) [Search Again](#)

[Print Certificate of Existence](#)

Searched: democratic

Business No.	Legal Name	Status
76250	THE IOWA DEMOCRATIC PARTY.	Active
Type	State of Inc.	Modified
Legal	IA	No
Expiration Date	Effective Date	Filing Date
PERPETUAL	2/19/1944	2/19/1944
Chapter	CODE 504 REVISED DOMESTIC NON-PROFIT	

Names (Viewing 2 of 2)

Type	Status	Modified	Name
Legal	Active	No	THE IOWA DEMOCRATIC PARTY.
Legal	Inactive	No	DEMOCRATIC PARTY

Registered Agent or Reserving Party

Full Name
KEN SAGAR

Address Address 2
5661 FLEUR DR

City, State, Zip
DES MOINES, IA, 50321

Home Office

Full Name

Address Address 2
5661 FLEUR DRIVE

City, State, Zip
DES MOINES, IA, 50321

[↑ Back to Top](#)

FEATURED RESOURCES

[QUICK LINKS](#) [ONLINE SERVICES](#) [SEARCH](#)

Business Services

- Change of Agent Form
- Credit Card Authorization Form
- Fast Track Filing - Biennial Report Demo
- Reinstatement Information

Business Resources

Elections

- Request an Absentee Ballot
- Am I Registered to Vote in Iowa?
- Register to Vote
- Track Your Absentee Ballot
- Find Your Precinct/Polling Place

2020 GENERAL ELECTION INFORMATION

[General Candidate List](#)

[Judge Retention List](#)





ADDRESS CONFIDENTIALITY PROGRAM



HOW CAN THE SECRETARY HELP YOU?



PUT YOUR BUSINESS ON GOOGLE



CONSTITUENT SERVICES

STAY CONNECTED



JOIN OUR MAILING LIST

Email Address [SIGN UP](#)

Secretary of State
First Floor, Lucas Building
321 E. 12th St.
Des Moines, IA 50319

[Home](#) | [State of Iowa](#) | [Sitemap](#) | [Disclaimer](#) | [Contact Us](#)
sos@sos.iowa.gov | (888) 767-8683

Fwd: Iowa Democratic Party Announces Updated County Convention Process

Mandy McClure <mmclure@iowademocrats.org>
To: Kevin Geiken <kgeiken@iowademocrats.org>

Tue, Aug 25, 2020 at 10:03 AM

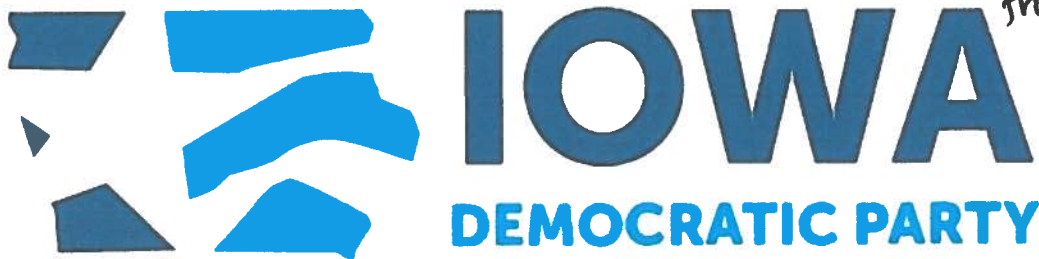
This one?

----- Forwarded message -----

From: Iowa Democrats Press <press@iowademocrats.org>
Date: Wed, Apr 8, 2020 at 4:02 PM
Subject: Iowa Democratic Party Announces Updated County Convention Process
To: Press IDP <press@iowademocrats.org>

FILED

AUG 28 2020

HARDIN COUNTY AUDITOR *jl**rcd @ 11:55 am**from D. Primus***FOR IMMEDIATE RELEASE**

Wednesday, April 8, 2020

CONTACT: press@iowademocrats.org**Iowa Democratic Party Announces Updated County Convention Process***Delegates and Alternates can register online starting April 13**Additional resources at theconventions.org.*

DES MOINES — Today, the Iowa Democratic announced an updated County Convention process to be conducted remotely over the month of April. The updated, non-present County Convention process gives County Party leaders options on how to conduct their convention, including online or by mail.

From April 13-17, Iowans who were elected precinct delegates and alternates will register to participate in their remote county convention, and will indicate their preferred ballot method: online, over the phone, or via mail. Elections for District/State Delegates and County Affirmative Chairs will be conducted remotely from April 22-30. County chairs will have the option to use a template plan or develop their own within the rules outlined in the updated DSP and convention process.

“Consistent with our values, the health and public safety of all Iowans is the number one priority of the Iowa Democratic Party. Our state and country are facing a period of uncertainty due to the spread of the

coronavirus, and as such, we are adapting our County Conventions to move forward without risking our public health during this time,” **said IDP Chair Mark Smith.** “I want to thank all of our County Chairs for their hard work and dedication to maintaining the integrity of the process while keeping Iowans safe. We will get through this crisis together, and our focus remains steadfast on electing Democrats up-and-down the ticket in November.”

The updated process is based on conversations with County Chairs, the State Central Committee, and party leaders. The state party will work with County Chairs to make sure they have the resources they need to be able to hold their convention within the parameters of this process and the overall goal of protecting public health.

Per the state party’s process, the changes to the Delegate Selection Plan were approved unanimously by the State Central Committee, and the final plan incorporates feedback from County Chairs who are in charge of implementing the next convention.

More information about the County Convention process can be found at: theconventions.org.

###

--
Mandy McClure
Iowa Democratic Party
Communications Director
515-988-8025

**SPECIAL MEETING
IOWA DEMOCRATIC PARTY
STATE CENTRAL COMMITTEE
MARCH 26, 2020**

FILED

AUG 28 2020

HARDIN COUNTY AUDITOR

je
rec'd from D Primus
@ 2:30 pm

The meeting was called to order at 7:04 PM by Chair Mark Smith.

Roll is called by Kevin Geiken. A quorum is achieved.

We have three items of business tonight:

1. Allow remote voting for the upcoming conventions.
2. Amend the Delegate Selection Plan to allow this change.
3. Update from the the Operations Committee.

By listening to health professional's it is apparent that the in person county, and potentially district, conventions will not work in order to elect our delegates for the Democratic National Convention in a timely manner.

Resolution allowing absentee voting in 2020 IDP Conventions

Because the COVID-19 pandemic continues to be an urgent international health crisis, and

Because CDC and state of Iowa officials recommend that events and gatherings be limited to sizes smaller than most of our conventions,

and

Because county, district, and state conventions must have an ability to conduct the essential business of electing Delegates and Alternates in order for Iowa to be represented at the Democratic National Convention,

and

Because the safety and health of all Iowa Democrats is the top priority

for leaders of the Iowa Democratic Party,

Be it Resolved, that the Iowa Democratic Party State Central Committee will allow absentee voting in the 2020 Iowa Democratic Party County, District, and State Conventions under the following restrictions:

1. Absentee processes must comply with the 2020 Iowa Democratic Party Delegate Selection Plan and the Iowa Democratic Party Constitution.
 2. Absentee processes must include methods to ensure full participation is possible by delegates who do not have access to internet, computers, or other technology that may be part of an absentee process.
 3. If an absentee process utilizes electronic technologies, a Request for Reasonable Accommodation process must be implemented.
 4. Electronic ballots must produce a voter verified record.
 5. All absentee processes must be approved by the Iowa Democratic Party Chair
- Multiple people moved the motion and multiple people seconded the motion. The motion passes unanimously.

Technical amendments can be approved by the Chair and approved by the Party Affairs Committee. We are more comfortable with an SCC approval.

Kevin Geiken outlined the amendments to the DSP. You have received the proposed amended DSP in previous emails for your review.

Multiple people moved the motion to approve the amended the DSP. Multiple people seconded the motion. The motion passes 39 to 1.

Operations Committee Report: Mary Jane Cobb reports that the people retained have been performing interviews. We initially thought this could be done in 45 days, however the time line is too tight. We ask for and move for an extension until April 30, 2020. Seconded. The motion is approved by a vote of 39 to 1. This concludes the business of this meeting. Thank you.

A motion is made to adjourn. Motion is approved unanimously.

504.207 Emergency bylaws and powers.

1. Unless the articles provide otherwise, the directors of a corporation may adopt, amend, or repeal bylaws to be effective only in an emergency as described in subsection 4. The emergency bylaws, which are subject to amendment or repeal by the members, may provide special procedures necessary for managing the corporation during the emergency, including all of the following:

- a. How to call a meeting of the board.
- b. Quorum requirements for the meeting.
- c. Designation of additional or substitute directors.

2. All provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency. The emergency bylaws are not effective after the emergency ends.

3. Corporate action taken in good faith in accordance with the emergency bylaws does both of the following:

- a. Binds the corporation.
- b. Shall not be used to impose liability on a corporate director, officer, employee, or agent.

4. An emergency exists for purposes of this section if a quorum of the corporation's directors cannot readily be assembled because of some catastrophic event.

2004 Acts, ch 1049, §23, 192

See also §504.303

FILED

AUG 28 2020 *jl*

HARDIN COUNTY AUDITOR

*rc'd from D. Primus
@ 2:30pm*

FILED

AUG 28 2020

Introduced: March 26, 2020
Status: PASSED on March 26, 2020

HARDIN COUNTY AUDITOR *jl*

rcd @ 11:55 AM

From D. Primus

Resolution allowing absentee voting in 2020 IDP Conventions

Because the COVID-19 pandemic continues to be an urgent international health crisis,

and

Because CDC and state of Iowa officials recommend that events and gatherings be limited to sizes smaller than most of our conventions,

and

Because county, district, and state conventions must have an ability to conduct the essential business of electing Delegates and Alternates in order for Iowa to be represented at the Democratic National Convention,

and

Because the safety and health of all Iowa Democrats is the top priority for leaders of the Iowa Democratic Party,

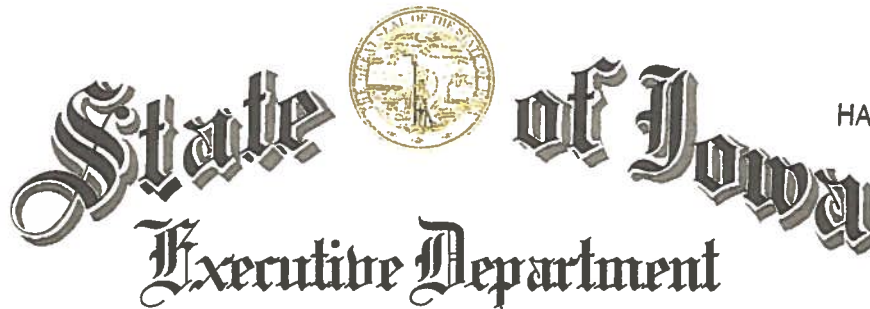
Be it Resolved, that the Iowa Democratic Party State Central Committee will allow absentee voting in the 2020 Iowa Democratic Party County, District, and State Conventions under the following restrictions:

1. Absentee processes must comply with the 2020 Iowa Democratic Party Delegate Selection Plan and the Iowa Democratic Party Constitution.
2. Absentee processes must include methods to ensure full participation is possible by delegates who do not have access to internet, computers, or other technology that may be part of an absentee process.
3. If an absentee process utilizes electronic technologies, a Request for Reasonable Accommodation process must be implemented.
4. Electronic ballots must produce a voter verified record.
5. All absentee processes must be approved by the Iowa Democratic Party Chair.

FILED

AUG 28 2020

HARDIN COUNTY AUDITOR: *je*
rcd @ 1155Am
from D. Primus



IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

WHEREAS, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, multiple cases of COVID-19 have been confirmed in Iowa, and the Iowa Department of Public Health has determined that community spread of COVID-19 is occurring within our state; and

WHEREAS, reports forwarded by local public health officials and state public health officials indicate that local resources and capacities are being exhausted and state assistance and resources are necessary to respond to and recover from the effects of this public health disaster; and

WHEREAS, local jurisdictions may not have sufficient personnel and other resources to effectively conduct epidemiologic investigations of infectious disease outbreaks, provide medical care, and respond to health threats; and

WHEREAS, COVID-19 can spread person-to-person and poses a possibility of causing severe illness in certain populations and disability and/or death to certain Iowans. Likewise, reports forwarded by federal, state, and local officials indicate that state assistance is needed to manage and contain this outbreak; and

WHEREAS, the risk of transmission of COVID-19 may be substantially reduced by separating and restricting the movement of persons known or suspected to have the disease, or who have been exposed to those known or suspected to have the disease; and

WHEREAS, the risk of transmission of COVID-19 may be substantially reduced by community containment strategies that may include temporarily closing schools in affected communities and other public venues; and

WHEREAS, strict compliance with the provision of the Iowa Code and Iowa Administrative Code requiring a certificate of need prior to an institutional health facility operating additional bed capacity will also prevent or hinder efforts to contain this public health disaster.

WHEREAS, strict compliance with the provisions of Iowa law which establish preconditions or which would otherwise limit or restrict the provision of telehealth or telemedicine services and those which require face-to-face interactions with health care providers and requirements for residential and outpatient treatment and face-to-face visitations, would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

WHEREAS, strict compliance with the provisions of Iowa law which prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant, with an inactive or lapsed license would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

WHEREAS, strict compliance with the provisions of Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 256.16(1)(a)(2)(d) and (m) and Iowa Admin. Code rules 281-77.10 (9), 281-79.14(5), and 281-79.14(7) that require a minimum number of hours of field experience in a practitioner preparation program provided by a higher education institution would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

WHEREAS, strict compliance with the regulatory provisions of Iowa Code §§ 321.174A, 321.196, 321.39, 321.46, 321.25 regarding driver's license, title, and vehicle registration requirements would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

WHEREAS, strict compliance with the permit and fee requirements of Iowa Code § 321E.29 and Iowa Admin. Code chapter 761-511 allowing oversize and overweight divisible loads under certain circumstances will prevent or hinder efforts to cope with this disaster in all counties of our state.

WHEREAS, strict compliance with the requirements of Iowa Code § 455C.3 (1) and Iowa Admin. Code chapter 567-107 that such dealers must accept empty beverage containers on which an Iowa deposit was made will prevent or hinder efforts to cope with this disaster in all counties of our state.

NOW THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

SECTION ONE. Pursuant to Iowa Code § 29C.6 (1) and (10), I hereby activate the public health response and recovery aspects of the state disaster emergency plan applicable to this public health disaster and authorize the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary pursuant to those plans to assist those citizens located in the counties subject to this proclamation.

SECTION TWO. I hereby direct the Iowa Department of Public Health, in conjunction with whatever further direction I provide, to take those reasonable and necessary actions authorized by Iowa Code § 135.144 to address this public health disaster, including but not limited to mobilizing as many public health response teams as are necessary to supplement and support disrupted or overburdened local medical and public health personnel, hospitals, and resources, as allowed by Iowa Code § 135.143 and 641 Iowa Admin. Code 113.2 (1), with the understanding that the registered members of those public health response teams providing assistance under this authority shall receive the protections and benefits of state employees as allowed by law.

SECTION THREE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby order that effective Noon today, March 17, 2020, and continuing until 11:59 p.m. on March 31, 2020:

A. Restaurants and Bars: All Restaurants and Bars are hereby closed to the general public except that to the extent permitted by applicable law, and in accordance with

any recommendations of the Iowa Department of Public Health, food and beverages may be sold if such food or beverages are promptly taken from the premises, such as on a carry-out or drive-through basis, or if the food or beverage is delivered to customers off the premises.

- B. Fitness Center:** All fitness centers, health clubs, health spas, gyms, aquatic centers are hereby closed.
- C. Theaters:** All theaters or other performance venues at which live performances or motion pictures are shown are hereby closed.
- D. Casinos and Gaming Facilities:** All casinos and other facilities conducting pari-mutuel wagering or gaming operations are hereby closed.
- E. Mass Gathering:** Social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events of more than 10 people are hereby prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers. Planned large gatherings and events must be canceled or postponed until after termination of this disaster.
- F. Senior Citizen Centers and Adult Daycare Facilities:** All facilities that conduct adult day services or other senior citizen centers are hereby closed.

SECTION FOUR. I hereby direct all state agencies to coordinate expeditiously in developing plans to mitigate the economic effects of the closings necessitated by this disaster, including potential financial support, regulatory relief, and other executive actions.

SECTION FIVE. As required by Iowa Code § 29C.6 (1), (10) and 42 U.S.C. § 5170 in cases of Presidential Disaster Declarations, this Proclamation of Disaster Emergency continues to activate the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan and those additional response plans applicable to the counties affected by this disaster and authorizes the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary to assist those citizens located in the disaster affected counties.

SECTION SIX. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of 11 Iowa Admin. Code § 53.11 (3) prohibiting pay to those State of Iowa employees for hours worked in excess of 40 hours per workweek while present in the State's Emergency Operations Center or otherwise engaged in assigned disaster response missions or other activities.

SECTION SEVEN. Pursuant to Iowa Code § 29C.6 (8) and (10), I continue to order all state agencies to utilize such personnel, equipment, and facilities as necessary to assist the Iowa Department of Public Health and the Iowa Department of Homeland Security and Emergency Management in performing any and all activities necessary to prevent, contain, and mitigate the effects of the COVID-19 virus.

SECTION EIGHT. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code §§ 135.61 through 135.73 requiring an institutional health facility to obtain a certificate of need prior to operating additional bed capacity. Suspension of these provisions is limited to the duration of this proclamation and is further limited to the provision of medical assistance and treatment of victims of this public health emergency.

SECTION NINE. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 147.137 and Iowa Admin. Code rule 653-13.11, rule 641-155.2, and other implementing administrative rules establishing preconditions, limitations, or restrictions on the provision of telehealth or telemedicine services, and I temporarily suspend the regulatory provisions of Iowa Admin. Code rules 641-155.21(19) and 155.23(4) and other administrative rules which require face-to-face interactions with health care providers and impose requirements for residential and outpatient substance use disorder treatment and for face-to-face visitations.

SECTION TEN. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 147.10 and Iowa Admin. Code rules 653-9.13(6) and 9.14,

rules 655-3.7(5), rules 645-261.8, and rules 645-326.9(8), and all other implementing administrative rules which prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant, by a licensee whose license is inactive or lapsed. Suspension of these provisions is limited to licenses which have lapsed or expired within the five (5) years prior to this Proclamation and is further limited to the provision of medical and nursing care and treatment of victims of this public health disaster emergency and solely for the duration of this Proclamation.

SECTION ELEVEN. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 256.16(1)(a)(2)(d) and (m) and Iowa Admin. Code rules 281-77.10 (9), 281-79.14(5), and 281-79.14(7), to the extent that they require a minimum number of hours of field experience if the higher education institution providing practitioner preparation program determines that the student has completed sufficient field experience to determine that the student should be recommended for licensure.

SECTION TWELVE. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 321.196 prescribing that a driver's license issued to a person age seventy-two or older expires after two years. Suspension of this provision is limited to driver's licenses which have expired within the 60 days prior to this Proclamation or during the duration of this Proclamation or any subsequent extension of this proclamation. And upon the expiration of the terms of this Proclamation or any subsequent extension of this proclamation, the statutory sixty-day period for renewing shall resume. This suspension shall not apply if the person is not eligible for a license due to the person's license being suspended, revoked, denied or barred for any reason or if the person is physically or mentally incapable of operating a motor vehicle safely.

SECTION THIRTEEN. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 321.174A prescribing that a person shall not operate a motor vehicle on the highways of this state with an expired driver's license as applied to a person whose driver's license is expired. Suspension of this provision is limited to driver's licenses which have expired within the 60 days prior to this Proclamation or during the duration of this Proclamation or any subsequent extension of this proclamation. And upon the expiration of the terms of this Proclamation or any subsequent extension of this proclamation, the statutory sixty-day period for renewing shall resume.

SECTION FOURTEEN. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 321.39 prescribing expiration dates for vehicle registration, registration cards, and registration plates as applied to a person whose vehicle registration, registration card, or registration plate is expired. Suspension of this provision is limited to vehicle registration, registration cards, and registration plates which have expired within the 60 days prior to this Proclamation or during the duration of this Proclamation or any subsequent extension of this proclamation.

SECTION FIFTEEN. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 321.46 prescribing a transferee of a new motor vehicle shall apply for a new registration and certificate of title within 30 days of the purchase.

SECTION SIXTEEN. Pursuant to Iowa Code § 29C.6 (6), I temporarily suspend the regulatory provisions of Iowa Code § 321.25 prescribing a vehicle may be operated upon the highways of this state without registration plates for a period of 45 days after the date of delivery of the vehicle to the purchaser from a dealer.

SECTION SEVENTEEN. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 321.463 (6) (a) and (b) and 321E.29 and Iowa Admin. Code chapter 761-511, to the extent that those provisions restrict the movement of oversize and overweight loads of food, medical supplies, cleaning products, and other household goods, and require a permit to transport such loads.

A. Suspension of these provisions applies to loads transported on all highways within Iowa, excluding the interstate system, and those which do not exceed a maximum of 90,000 pounds gross weight, do not exceed the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code § 321.463 (6)

(b), by more than twelve and one-half percent (12.5%), do not exceed the legal maximum axle weight limit of 20,000 pounds, and comply with posted limits on roads and bridges.

B. This action is intended to allow vehicles transporting food, medical supplies, cleaning products, and other household goods to be oversize and overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.

C. The Iowa Department of Transportation is hereby directed to monitor the operation of this proclamation to assure the public's safety and facilitate the movement of trucks involved in transporting food and other household goods.

SECTION EIGHTEEN. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 455C.3 (1) and Iowa Admin. Code chapter 567-107, to the extent that those provisions require a dealer to accept an empty beverage container on which an Iowa deposit was made. This action is intended to allow retailers who engage in the sale of liquor, beer, wine, carbonated beverages, and other beverages on which an Iowa beverage container deposit is made to stop accepting empty beverage containers for the duration of this disaster emergency.

SECTION NINETEEN. Pursuant to Iowa Code § 29C.6 (6) and 49 CFR § 390.23, I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service of motor carriers and drivers of commercial motor vehicles, while transporting vaccines, antivirals, prescription drugs, protective equipment, and other necessary medical assets, subject to the following condition:

- A. Nothing contained in this Proclamation shall be construed as an exemption from the controlled substances and alcohol use and testing requirements set out in 49 CFR Part 382, the commercial drivers' license requirements set out in 49 CFR Part 383, the financial responsibility requirements set out in 49 CFR Part 387, or any other portion of the Code of Federal Regulations not specifically identified in this Proclamation.
- B. No motor carrier operating under the terms of this agreement shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off duty before the driver is required to return to service.
- C. Upon the request of a driver, a commercial motor carrier operating under this proclamation must give the driver at least thirty-four (34) consecutive hours off when the driver has been on duty for more than seventy (70) hours during any eight (8) consecutive days.
- D. Motor carriers that have an out-of-service order in effect may not take advantage of the relief from regulations that this proclamation provides under title 49 CFR § 390.23.
- E. Upon the expiration of this Proclamation, or when a driver has been relieved of all duty and responsibility to transport necessary medical assets under the conditions of this Proclamation, a driver who has had at least thirty-four (34) consecutive hours off duty shall be permitted to start the driver's on-duty status hours with the 60/70 hour clock at zero.
- F. This portion of this Proclamation of Disaster Emergency applies only to hours of service of motor carriers and drivers of commercial motor vehicles while actively transporting medical assets related to the COVID-19 event.

SECTION TWENTY. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code Chapter 8A, Iowa Code § 313.10, 11 Iowa Admin. Code Chapters 117 and 118, and 641 Iowa Admin. Code Chapter 176, requiring the Iowa Department of Public Health, the Iowa Department of Homeland Security and Emergency Management, and other state agencies involved in the response to this disaster emergency to procure goods and services through a competitive selection process. Suspension of these provisions is limited to the duration of this proclamation and is further limited to procurements which are necessary to prevent, contain, or mitigate the effects of the COVID-19 virus.

SECTION TWENTY-ONE. The Iowa Department of Public Safety, the Iowa Department of Public Health, the Iowa Department of Education, the Iowa Department of Homeland Security and Emergency Management, the Iowa Department of Transportation and other participating state agencies are hereby directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

SECTION TWENTY-TWO. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION TWENTY-THREE. This state of disaster emergency shall be effective immediately on March 16, 2020 shall continue for thirty (30) days, and shall expire on April 16, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me. Iowa Code § 29C.6 (1).



IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SUBSCRIBED MY NAME AND
CAUSED THE GREAT SEAL OF THE STATE
OF IOWA TO BE AFFIXED AT DES MOINES,
IOWA THIS 17th DAY OF MARCH IN THE
YEAR OF OUR LORD TWO THOUSAND
TWENTY.



KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:



PAUL D. PATE
SECRETARY OF STATE

FILED

AUG 28 2020

HARDIN COUNTY AUDITOR

rc'd @ 1155Am
from D. Primus



IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

WHEREAS, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, on March 17, 2020, a Proclamation of Public Health Disaster Emergency was issued to provide additional needed resources and measures to respond to this disaster, and such public health disaster continues to exist and should be extended until July 25, 2020; and

WHEREAS, the risk of transmission of COVID-19 may be substantially reduced by continuing to ensure business takes appropriate public health precautions while reopening; and

WHEREAS, strict compliance with many of the provisions of Iowa law previously suspended would continue to prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

NOW THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** continues to exist throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

PROTECTION OF VULNERABLE IOWANS

SECTION ONE. I continue to strongly encourage all vulnerable Iowans, including those with preexisting medical conditions and those older than 65, in all counties of the state to continue to limit their activities outside of their home, including their visits to businesses and other establishments and their participation in gatherings of any size and any purpose. And I encourage all Iowans to limit their in-person interactions with vulnerable Iowans and to exercise particular care and caution when engaging in any necessary interactions.

REOPENING OF BUSINESSES AND ESTABLISHMENTS

SECTION TWO. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or

order of the Iowa Department of Public Health, I continue to order that until 11:59 p.m. on August 23, 2020:

- A. Restaurants and bars:** A restaurant or bar, including a wedding reception venue, winery, brewery, distillery, country club, or other social or fraternal club, may reopen or remain open to serve food and beverages on its premises, but only to the extent that it complies with the following requirements:
- (1) **Social distancing:** The establishment must ensure at least six feet of physical distance between each group or individual dining or drinking alone. Seating at booths closer than six feet may satisfy this requirement if the booths are separated by a barrier of a sufficient height to fully separate seated customers. All patrons must have a seat at a table or bar, and an establishment must limit patrons from congregating together closer than six feet.
 - (2) **Other social distancing, hygiene, and public health measures:** The restaurant shall also implement reasonable measures under the circumstances of each restaurant to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Inspections and Appeals and the Iowa Department of Public Health.
- B. Fitness centers:** A fitness center, health club, health spa, or gym may reopen or remain open, but only to the extent that it complies with the following requirements:
- (1) **Social distancing:** The establishment must ensure that all equipment, such as treadmills, bikes, weight machines, benches, and power racks, are spaced at least six feet apart or take other appropriate measures to ensure that more closely spaced equipment is not used.
 - (2) **Group activities:** Any group activities or classes must be limited to a number of people that permits maintaining a distance of six feet apart at all times.
 - (3) **Other social distancing, hygiene, and public health measures:** The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.
- C. Casinos and gaming facilities:** A casino or other facility conducting pari-mutuel wagering or gaming operations may reopen or remain open, but only to the extent that it complies with the following requirements:
- (1) **Social distancing:** The establishment must encourage social distancing by spacing gaming positions at least six feet apart, turning off alternating gaming machines, or separating positions with a barrier of sufficient height to fully separate patrons. The establishment may operate table games provided that it takes reasonable measures to reduce the risk of transmission, such as limiting the number patrons at a table, encouraging or requiring face covering of patrons or employees, providing hand sanitizer, or taking other precautions.
 - (2) **Food and Beverage Service:** The establishment shall comply with all the requirements of bars and restaurants in this Proclamation for any food and beverage service.
 - (3) **Other social distancing, hygiene, and public health measures:** The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food or beverage service, the Iowa Department of Inspections and Appeals.

D. Senior citizen centers and adult daycare facilities: A facility that conducts adult day services or other senior citizen centers may reopen, but only to the extent that the establishment complies with guidance issued by the Iowa Department of Public Health to ensure social distancing, increased hygiene practices, and other public health measures.

E. Salons and Barbershops: A salon or barbershop, including any establishment providing the services of barbering, cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring may reopen, but only to the extent that it complies with the following requirements:

(1) **Social distancing:** The salon must ensure that all customers are at least six feet apart when performing cosmetology practices or barbering services.

(2) **Other social distancing, hygiene, and public health measures:** The salon or barbershop shall also implement reasonable measures under the circumstances of each salon to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

F. Medical spas: A medical spa, as defined in Iowa Admin Code § 653-13.8(1), may reopen or remain open to provide medical aesthetic services, but only if the medical spa complies with the requirements for performing outpatient procedures that utilize PPE in section 9, paragraph A, of this Proclamation.

G. Theaters and Performance Venues: Any theater or performance venue at which motion pictures are shown or live performances are held may reopen or remain open, but only to the extent that the theater complies with the following requirements:

(1) **Social distancing:** The theater or performance venue must ensure at least six feet of physical distance between each group or individual attending alone when seated in the theater.

(2) **Other social distancing, hygiene, and public health measures:** The theater shall also implement reasonable measures under the circumstances of each theater to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food service, the Iowa Department of Inspections and Appeals.

H. Race tracks: A speedway or race track, including a track conducting horse or dog races, may reopen or continue its operations, provided that the establishment complies with the following requirements:

(1) **Social distancing:** The establishment must ensure at least six feet of physical distance between each group or individual attending alone when seated.

(2) **Other social distancing, hygiene, and public health measures:** The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food or beverage service, the Iowa Department of Inspections and Appeals.

I. Malls: An enclosed mall may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Play areas:** Any play area or playground in a common area must remain closed.

(2) Social distancing, hygiene, and public health measures: The mall shall also implement reasonable measures under the circumstances of each mall to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

J. Other establishments: A museum, aquarium, zoo, library, indoor playground, children's play center, swimming pool, bingo hall, bowling alley, pool hall, arcade, amusement park, campground, tanning facility, massage therapy establishment, tattoo establishment, or a retail establishment that was previously ordered to be closed statewide and then only in certain counties under section 5, paragraph I, of the Proclamation of Disaster Emergency issued on April 27, 2020, may reopen or remain open, but only to the extent that the facility takes reasonable measures under the circumstances of each establishment to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with Guidance issued by the Iowa Department of Public Health.

MASS GATHERINGS

SECTION THREE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, until this disaster proclamation expires:

- A. A social, community, recreational, leisure, or sporting gathering or event, including but not limited to a parade, festival, farmers market, auction, convention, or fundraiser, of more than ten people may be held, but only if the gathering complies with all other relevant provisions in this Proclamation and the following requirements:**
- (1) Social distancing:** The gathering organizer must ensure at least six feet of physical distance between each group or individual attending alone.
 - (2) Other social distancing, hygiene, and public health measures:** The gathering organizer shall also implement reasonable measures under the circumstances of each gathering to ensure social distancing of gathering participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food service, the Iowa Department of Inspections and Appeals.
- B. Sporting and recreational events:** Practices, games, and competitions for recreational or sporting gatherings are not prohibited by this section even where athletes may have contact within six feet, provided that the organizer of such activities and events implements reasonable measures under the circumstances of each gathering to ensure reasonable social distancing, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.
- C. Spiritual and religious gatherings:** Spiritual and religious gatherings, including any funerals or weddings, are not prohibited by this section. But a church, synagogue, or other host of a spiritual or religious gathering shall implement reasonable measures under the circumstances of each gathering to ensure social distancing of employees, volunteers, and other participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

NONESSENTIAL OR ELECTIVE SURGERIES AND PROCEDURES

SECTION FOUR. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or

order of the Iowa Department of Public Health, I continue to order that until this disaster proclamation expires:

- A. A hospital, outpatient surgery provider, or outpatient procedure provider may conduct in-patient surgeries and procedures that, if further delayed, will pose a significant risk to quality of life and any outpatient surgeries or procedures if the hospital or provider complies with the following requirements:
 - (1) A hospital or provider must have:
 - (a) Adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local government PPE stockpiles to support continued operations and respond to an unexpected surge in a timely manner; and
 - (b) A plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health;
 - (2) A hospital or provider must have a plan for timely COVID-19 testing of symptomatic patients and staff to rapidly mitigate potential clusters of infection and as otherwise clinically indicated. Providers must comply with any relevant guidance related to testing requirements for patients and staff issued by the Iowa Department of Public Health, the CDC, or a provider's professional specialty society. For scheduled surgeries patients should have a negative COVID-19 test performed within 72 hours of surgery date. If a COVID-19 test is not available, a hospital or provider should consider alternative methods to determine the patient's probability of COVID-19. If the patient has symptoms of fever, cough, or low oxygen saturation, then postponing the surgery is recommended.
 - (3) A hospital must continue to accept and treat COVID-19 patients and must not transfer COVID-19 patients to create capacity for elective procedures.
 - (4) A hospital must reserve at least 10% of intensive care unit (ICU) beds and 10% of medical/surgical beds for COVID-19 patients.
 - (5) A hospital or provider that begins conducting surgeries or procedures as authorized by this paragraph but is no longer able to satisfy all these requirements must cease conducting such surgeries or procedures except as authorized by paragraph B. All hospitals and providers shall have a plan in place to monitor compliance and a transition plan to reduce or suspend procedures and surgeries as necessary.
- B. Except as provided in paragraph A, all nonessential or elective surgeries and procedures that utilize PPE must not be conducted by any hospital, outpatient surgery provider, or outpatient procedure provider, whether public, private, or nonprofit.
- C. A nonessential surgery or procedure is one that can be delayed without undue risk to the current or future health of a patient, considering all appropriate factors including, but not limited to any: (1) threat to the patient's life if the surgery or procedure is not performed; (2) threat of permanent dysfunction of an extremity or organ system; (3) risk of metastasis or progression of staging; and (4) risk of rapidly worsening to severe symptoms.
- D. Each hospital, outpatient surgery provider, and outpatient procedure provider shall limit all nonessential individuals in surgery and procedure suites and patient care areas where PPE is required. Only individuals essential to conducting the surgery or procedure shall be present in such areas.
- E. Each hospital, outpatient surgery provider, and outpatient procedure provider shall establish an internal governance structure to ensure that the principles outlined above are followed.

DENTAL SERVICES

SECTION FIVE. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I continue to order that until this disaster proclamation expires:

- A. A dentist and his or her dental staff may resume providing any dental services if the dentist complies with the following requirements:
 - (1) All dental services are provided in compliance with the Guidelines for the Safe Transition Back to Practice adopted by the Iowa Dental Board on May 5, 2020.
 - (2) The dentist has adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local PPE stockpiles to comply with the Guidance for Returning to Work During COVID-19.
 - (3) The dentist has a plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health.
- B. The performance of any dental procedures except in compliance with paragraph A continue to be prohibited.
- C. This order shall be enforced by Iowa Dental Board investigators or their designees who, pursuant to Iowa Code § 153.33(1)(b), shall have the powers and status of peace officers when enforcing this order.

MANDATORY SCREENING OF HEALTH FACILITY STAFF

SECTION SIX. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to order all hospitals, nursing facilities, intermediate care facilities, residential care facilities, hospice programs, and assisted living programs to screen all staff at the beginning of their shift for fever or respiratory symptoms, absence or shortness of breath, new or change in cough, or sore throat, take the employee's temperature, and take any preventative measures based on that screening to prevent the spread of COVID-19 within the hospitals, nursing facilities, intermediate care facilities, hospice programs, residential care facilities, and assisted living programs.

IN-PERSON INSTRUCTION AT SCHOOLS

SECTION SEVEN. Under Iowa law, "in-person instruction is the presumed method of instruction" for all school districts and accredited nonpublic schools during the 2020-2021 school year. I continue to direct that all state agencies, school districts, and other local governmental bodies and agencies shall take all efforts to prepare to safely welcome back students and teachers to school in-person this fall. These efforts shall also ensure that schools have the flexibility to continue providing education remotely if it becomes necessary and that parents have the option to select a learning model for their children that best meets the needs of their family. But the best interests of students and families requires that our schools are prepared to provide a structured, safe, and enriching academic environment.

AUTHORIZATION OF CERTAIN REMOTE LEARNING

SECTION EIGHT. Pursuant 2020 Iowa Acts Chapter 1107 (Senate File 2310), section 15, subsection 1, I continue to authorize a brick-and-mortar school district or accredited nonpublic school to provide instruction primarily through remote-learning opportunities only in one of the following circumstances:

- A. **Parental consent:** If a parent or guardian voluntarily selects the remote learning opportunity from among multiple options provided by the school district or nonpublic school in accordance with its Return-to-Learn Plan.

B. Approved temporary school building or district closure: If the Iowa Department of Education, in consultation with the Iowa Department of Public Health, approves of the temporary move to primarily remote learning for an entire school building or district because of public health conditions in the building or district.

C. Temporary remote learning for individual students or classrooms: If the school district or accredited nonpublic school determines, in consultation with state and local public health departments, that individual students or classrooms, but not all the students in a school building, must temporarily move to primarily remote learning because of public health conditions in the building.

D. Temporary remote learning because of inclement weather: If the school district or accredited nonpublic school determines that an entire school building or district must temporarily move to primarily remote learning because of inclement weather for a period not exceeding five consecutive school days unless the Iowa Department of Education approves of a longer period.

So long as any remote learning is provided in accordance with a compliant Return-to-Learn plan and is authorized in this section or is not the primary method of instruction (because at least half of the school district or accredited nonpublic school's instruction is provided in-person during any two-week period), any instructional time provided by remote learning shall count towards the hours and days requirements of Iowa law as provided for by 2020 Iowa Acts Chapter 1107 (Senate File 2310), section 9.

EDUCATION WORKFORCE LICENSURE RELIEF

SECTION NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 282-22.2, limiting the number of consecutive days and the total number of days in a 30-day period that a person may serve as a substitute teacher during one job assignment, and of Iowa Admin. Code rule 282-13.16(2) limiting the number of days of teaching in one assignment during a school year. For the duration of this disaster proclamation and any extension of this suspension, a substitute authorization or substitute license shall allow an individual to substitute in grades pre-kindergarten through 12, except in a driver's education classroom for any length of time.

SECTION TEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 282-22.2(1)(a)(2), requiring a baccalaureate degree or higher from a regionally accredited institution to be issued a substitute authorization, but only to the extent that the applicant instead has achieved an associate's degree or completed 60 semester hours of college coursework from a regionally accredited institution.

SECTION ELEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 272.2(14)(b)(2) and Iowa Admin. Code rule 282-22.2(1)(a)(3), requiring the applicant to be at least twenty-one years of age, but only to the extent that the applicant is at least twenty years of age.

SECTION TWELVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 272.12 and Iowa Admin. Code rule 282-22.2, limiting the holder of a paraeducator certificate with a substitute authorization appearing on the certificate to substituting only in the special education classroom in which the paraeducator is employed. For the duration of this disaster proclamation and any extension of this suspension, a paraeducator who holds or obtains a substitute authorization on a paraeducator certificate may substitute in any classroom in grades pre-kindergarten through 12, except in a driver's education classroom.

SECTION THIRTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 282-13.16(3), 22.2, 22.9, and any other Iowa law that would prohibit the holder of a career and technical secondary

authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district from serving as a substitute teacher in any classroom in grade pre-kindergarten through 12, except in a driver's education classroom. For the duration of this disaster proclamation and any extension of this suspension, the holder of a career and technical secondary authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district may substitute in any classroom in grades pre-kindergarten through 12, except in a driver's education classroom without any further authorization from the Board of Educational Examiners.

SECTION FOURTEEN. The Board of Educational Examiners shall provide guidance to school districts and individuals interested in serving as a substitute teacher about these expanded opportunities to assist in providing the necessary education workforce across Iowa.

TEMPORARY TEACHER LICENSURE

SECTION FIFTEEN. Pursuant to Iowa Code §§ 29C.6(6) and 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code section 272.2(22) and Iowa Admin. Code rule 282-13.6(1) requiring an applicant for a one-year temporary license to provide the board of educational examiners proof of an offer of a teaching position from a school district that can show it has made every reasonable and good faith effort to employ a teacher licensed under Chapter 272, so that the Board of Educational Examiners may issue a one-year temporary license to new teachers unable to complete the requirements for initial licensure as a result of this public health disaster emergency.

EDUCATION FIELD EXPERIENCE FLEXIBILITY

SECTION SIXTEEN. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 256.16(1)(a)(2)(d) and (m) and Iowa Admin. Code rules 281-77.10 (9), 281-79.14(5), 281-79.14(7), and 281-79.16(4), to the extent that they require a minimum number of hours of field experience if the higher education institution providing practitioner preparation program determines that the student has completed sufficient field experience to determine that the student should be recommended for licensure.

SCHOOL START DATE FOR 2020-2021 SCHOOL CALENDAR

SECTION SEVENTEEN. Pursuant to Iowa Code §§ 29C.6(6) and 135.144(3), in conjunction with the Iowa Department of Public Health, and at the request of Iowa Association of School Boards on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code § 279.10(1), to the extent that it prohibits a school district or accredited nonpublic school from beginning its school calendar before August 23, 2020, but only if the school district adopts a calendar as a part of its Return to Learn Plan submitted to the Iowa Department of Education that ensures that any instructional time scheduled before August 23, 2020, is in excess of the minimum instructional time of one hundred eighty days or one thousand eighty hours. This suspension applies only to the 2020-2021 school calendar as a result of the school closures ordered during this public health disaster emergency.

PRIVATE INSTRUCTION REQUIREMENTS

SECTION EIGHTEEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-31.3(3)(a), requiring face-to-face contact between children receiving competent private instruction from privately retained licensed practitioners and those practitioners.

SECTION NINETEEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-31.4(3)(a), requiring face-to-face contact between children receiving competent private instruction from home school assistance program teachers and those teachers.

SECTION TWENTY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code section 299A.1(2)(b) and Iowa Administrative

Code rules 281-31.1(2)(b) and 281-31.11, governing the provision of independent private instruction, to the extent those provisions impose any requirement for in-person instruction.

INTERSCHOLASTIC ATHLETICS REQUIREMENTS

SECTION TWENTY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-36.15(2), the scholarship rule for interscholastic athletics. When school resumes and athletic competitions resume, all student athletes will be deemed to be academically eligible.

SECTION TWENTY-TWO. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-36.15(3) and (4), the transfer rule for interscholastic athletics, to the extent that these subrules require a certain number of school days of ineligibility. Any day that a school was closed pursuant to a proclamation of the Governor shall be counted toward the days required by Iowa Administrative Code rule 281-36.15(3) and (4).

REGULATORY RELIEF TO HEALTH CARE SYSTEM

SECTION TWENTY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 135.61 through 135.73 requiring an institutional health facility to obtain a certificate of need prior to operating additional bed capacity. Suspension of these provisions is limited to the duration of this proclamation and is further limited to the provision of medical assistance and treatment of victims of this public health emergency.

SECTION TWENTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.20(1) & 58.23(1)(a), requiring residential care facilities and nursing facilities assist residents to obtain regular and emergency dental services, to the extent those facilities continue to assist residents in obtaining emergency dental services.

SECTION TWENTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.23(1) & 58.26(1) requiring group activities provided by residential care facilities and nursing facilities, so long as any group activities that are conducted are in accordance with requirements published by the Centers for Medicare and Medicaid Services, Iowa Department of Public Health, and/or the Iowa Department of Inspections and Appeals.

SECTION TWENTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-58.47, permitting in-person visits with residents in nursing facilities, so long as any in-person visitation is conducted in accordance with requirements published by the Centers for Medicare and Medicaid Services, Iowa Department of Public Health, and the Iowa Department of Inspections and Appeals.

SECTION TWENTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-58.24(6)(a) and (b), requiring minimum standards for training paid nutritional assistants, to the extent that the training is performed in accordance with regulations and waivers administered by the Centers for Medicare and Medicaid Services.

SECTION TWENTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of any statute or administrative rule that impedes the implementation of a federal waiver issued by the Secretary of the Department of Health and Human Services and Centers for Medicare and Medicaid Services pursuant to section 1135 of the Social Security Act.

SECTION TWENTY-NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-69.29(5) & (6)

requiring a new program manager and delegating nurse in assisted living programs complete an assisted living management class and/or an assisted living nursing class within six months of employment.

SECTION THIRTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-57.11(6) requiring a residential care facility screen and test an employee for tuberculosis pursuant to 481-Chapter 59 if it is not feasible for a facility to do so, to the extent the facility continues to perform and document sign/symptom review of new health care workers and residents and places the health care worker or resident on a callback list to test as soon as possible.

SECTION THIRTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 481-57.19(3)(c) & 64.4(9)(b) requiring a person administering medications in a residential care facility and intermediate care facility for the intellectually disabled to complete a department-approved medication aide course and pass a department-approved medication aide exam, to the extent the person has successfully completed a state-approved medication manager course and passed a state-approved medication manager exam to administer medications.

SECTION THIRTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r 641-136.2(2) related to trauma data registry reporting by trauma care facilities within certain timeframes. I hereby direct the Iowa Department of Public Health to provide additional guidance to trauma care facilities regarding the effect of this suspension.

SECTION THIRTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r 641-137.2 and 137.3 related to initial and continuing trauma education requirements for trauma team members. I hereby direct the Iowa Department of Public Health to provide additional guidance to trauma care facilities and trauma team members regarding the effect of this suspension.

SECTION THIRTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135B.9(1)(a) requiring hospital inspectors be free of conflicts of interest.

SECTION THIRTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135B.20(1) and Iowa Admin. Code rule 481-51.1, and any statute or rule using terms defined in those provisions, defining a "doctor" and "medical staff" as requiring all doctors and medical staff be licensed to practice in this state, to the extent that individual is licensed to practice in another state or in accordance with Section 69 of this Proclamation of Disaster Emergency.

SECTION THIRTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135B.34 and Iowa Admin Code rule 481-51.41, requiring a hospital to complete a criminal history check prior to employment of an individual, to the extent that a hospital may employ an individual once that criminal history check is submitted, pending completion.

SECTION THIRTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.4, requiring physical separation and distinction between a long-term acute care hospital located within a general hospital, to the extent that it is not feasible for a hospital to do so.

SECTION THIRTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to

temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.5(4), requiring written criteria for the granting of clinical privileges, to the extent that policies shall not be required to be rewritten to accommodate waivers provided by the State or the Centers for Medicare and Medicaid Services.

SECTION THIRTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.6, requiring hospitals to adopt a statement of principles relating to patient rights and responsibilities, to the extent that policies shall not be required to be rewritten to accommodate waivers provided by the State or the Centers for Medicare and Medicaid Services.

SECTION FORTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(1), requiring the clear definition of authority, responsibility, and function of each nurse, to the extent that there is evidence that each nurse has been assessed competent in any area where they function.

SECTION FORTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(2), requiring utilization of the nursing process, to the extent that it is not feasible to do so.

SECTION FORTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(4), to the extent that all nurses employed in a hospital who practice nursing as a registered nurse or licensed practical nurse must hold an active Iowa license, an active license in another state and be recognized for licensure in this state pursuant to the nurse licensure compact in Iowa Code section 152E.1, or be qualified for employment in accordance with Section 69 of this Proclamation of Disaster Emergency.

SECTION FORTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(8), requiring the nursing service to have adequate numbers of licensed registered nurses, licensed practical nurses, and other personnel to provide nursing care, to the extent that the hospital has made all reasonable efforts to maintain sufficient staffing levels.

SECTION FORTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(9), requiring written policies and procedures be established for the administrative and technical guidance of the personnel in the hospital and that each employee be familiar with those policies or procedures.

SECTION FORTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.12, requiring hospital medical record and report maintenance, to the extent that records shall continue to be maintained as required by federal regulation.

SECTION FORTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-51.14(3), 51.14(4), and 51.15, requiring procedures for authentication of verbal orders and standing orders, to the extent that hospitals comply with federal regulation related to such orders.

SECTION FORTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-51.20(2)(d), requiring maintenance of a current diet manual, to the extent those manuals would be maintained at surge capacity sites.

SECTION FORTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.22, requiring hospital equipment be selected, maintained and utilized in accordance with the manufacturer's specifications, to the extent it is not feasible to do so.

SECTION FORTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.24(1), requiring segregation of patients' beds, to the extent hospitals take all reasonable precautions to provide for the prevention of cross-infections and the control of communicable diseases.

SECTION FIFTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-51.24(3), requiring a hospital perform a health assessment and screen and test an employee for tuberculosis pursuant to 481-Chapter 59 if it is not feasible for a hospital to do so, to the extent the hospital continues to assess new employees for infectious or communicable diseases and perform and document sign/symptom review of new health care workers and residents and places the health care worker or resident on a callback list to test as soon as possible.

SECTION FIFTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.30, requiring a hospital to have written policies and procedures specifying the scope and conduct of patient care to be provided in the emergency service, to the extent that policies shall not be required to be rewritten to accommodate this public health disaster emergency.

SECTION FIFTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.50, requiring minimum standards of construction for hospitals, to the extent that the Department of Inspections and Appeals and State Fire Marshal's Office have approved the location as one that sufficiently addresses safety and comfort for patients and staff.

SECTION FIFTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.53(4), requiring critical access hospitals maintain no more than 25 acute care inpatient beds.

SECTION FIFTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.53(5), requiring critical access hospitals meet the Medicare conditions of participation as described in 42 CFR Part 485. Subpart F, to the extent waivers have been issued by the Centers for Medicare and Medicaid Services.

SECTION FIFTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-58.11(1)(i), requiring a nurse aide who has not completed the state-approved 75-hour nurse's aide program be required to participate in a structured on-the-job training program of 20 hours' duration, to the extent that the individual has completed a comparable training course approved by the department of inspections and appeals or has completed at least 20 hours of the state-approved 75-hour nurse's aide program and the facility has documentation that it has implemented training and supervision measures to ensure the individual's competency in any tasks performed.

SECTION FIFTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-58.11(1)(k), requiring that certified nurse aides who have received training other than the Iowa state-approved program must pass a challenge examination, to the extent that the individual is able to

demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

SECTION FIFTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 441-81.13(19)(e)(2)(2), requiring that a facility not use any person working in the facility as a nurse aide for more than four months unless that person has completed a training and competency evaluation program approved by the department of inspections and appeals, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

SECTION FIFTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 441-81.16(5)(b)(2)(3) and (5)(c)(5)(2), requiring that the department of inspections and appeals remove certified nurse aides from the Iowa Direct Care Workers Registry if they have performed no nursing or nursing-related services for monetary compensation for a period of 24 consecutive months, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

SECTION FIFTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 441-81.16(3), requiring minimum standards for nurse aide training and competency evaluation programs the department of inspections and appeals may approve, to the extent that the training is performed in accordance with regulations and waivers administered by the Centers for Medicare and Medicaid Services.

SECTION SIXTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.19(2)(f), 58.21(6)(e), 64.4(9)(d), and 65.17(1)(e) requiring a person who has written documentation of certification as a medication aide in another state complete a department-approved nurse aide competency examination and medication aide challenge examination, to the extent the individual is able to demonstrate competency in safe medication administration.

SECTION SIXTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 481-57.26 and 67.3(6), to the extent those provisions permit in-person visits in residential care facilities or with tenants in an adult day service, so long as any in-person visitation is conducted in accordance with requirements published by the Iowa Department of Public Health and the Iowa Department of Inspections and Appeals.

SECTION SIXTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 135C.16(1), 135C.38(1), and 135C.40(1)(a) to the extent those provisions require on-site inspections of health care facilities.

SECTION SIXTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 232.69 and 235B.3, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they require a person who is subject to the mandatory reporting requirements of those provisions to complete a training provided by the Department of Human Services within six months of initial employment. Suspension of these provisions does not affect the requirement that a person report cases of child or dependent adult abuse to the proper authorities.

TELEHEALTH SERVICES

SECTION SIXTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to

suspend the regulatory provision of Iowa Code chapters § 514C.34 to the extent that it excludes from the definition of telehealth the provision of services through audio-only telephone transmission, and I direct the Insurance Commissioner to use all available means, including the authority of Iowa Code §§ 505.8(1), (7), and 29C.19, to ensure that any health carrier, as defined in Iowa Code § 514J.102, shall reimburse a health care professional, as defined in Iowa Code § 514J.102, for medically necessary, clinically appropriate covered services by telehealth, as defined in § 514C.34(1) or via audio-only telephone transmission, provided to a covered person, as defined in Iowa Code § 514J.102, on the same basis and at the same rate as the health carrier would apply to the same health care services provided to a covered person by the health care professional in person for the duration of this proclamation. I also encourage all Iowa businesses to take any necessary action to remove cost-sharing or other financial barriers to the use of telehealth in their health insurance plans.

SECTION SIXTY-FIVE. Pursuant to Iowa Code § 29C.6 (6), I continue to suspend the regulatory provisions of Iowa Code § 147.137 and Iowa Admin. Code rule 653-13.11, rule 641-155.2, and other implementing administrative rules establishing preconditions, limitations, or restrictions on the provision of telehealth or telemedicine services, and I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 641-155.21(19) and 155.23(4) and other administrative rules which require face-to-face interactions with health care providers and impose requirements for residential and outpatient substance use disorder treatment and for face-to-face visitations.

PHARMACY THERAPEUTIC SUBSTITUTION

SECTION SIXTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 155A.32 and any implementing administrative rules to the extent they prohibit the practice of therapeutic substitution by a pharmacist without prior consent by the prescriber. Suspension of this provision shall extend through the duration of this Proclamation and any further extension of this suspension. I hereby direct the board of pharmacy to provide additional guidance to licensees regarding the effect of this suspension.

SUSPENSION OF INVOLUNTARY DISCHARGE FOR NONPAYMENT

SECTION SIXTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.14(1)(e) and 58.40(1)(c), permitting a residential care facility or nursing facility to involuntarily discharge or transfer a resident for nonpayment for the resident's stay.

PROFESSIONAL LICENSING RELIEF

SECTION SIXTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code chapters §§ 147.2, 148.3, 148.5, 148C.3, 152.7, 152B.7A, and any other implementing administrative rules to the extent they prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant for an individual who has not yet obtained an initial license, if the licensing board determines that the individual has completed sufficient education and should be granted an emergency license to practice in accordance with any guidance issued by the board. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SIXTY-NINE. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 147.10 and Iowa Admin. Code rules 653-9.13(6) and 9.14, rules 655-3.7(5), rules 645-261.8, and rules 645-326.9(8), and all other implementing administrative rules which prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant, by a licensee whose license is inactive or lapsed. Suspension of these provisions is limited to licenses which have lapsed or expired within the five (5) years prior to this Proclamation and is further limited to the provision of medical and nursing care and treatment of victims of this public health disaster emergency and solely for the duration of this Proclamation.

SECTION SEVENTY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 152.5 and Iowa Admin. Code r. 655-2.10(7)(a), which limit the number of clinical hours that can be satisfied through simulation activities for nursing education programs. Suspension of this provision shall extend through the duration of this Proclamation and any future extension of this suspension. I continue to direct the nursing board to provide additional guidance to licensees regarding the effect of this suspension, including guidance on obtaining an emergency license pursuant to this Proclamation.

SECTION SEVENTY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 650-11.2(2), 11.3(2), 11.5(2), 11.6(2), 13.2(2), and 20.6(2)(b)(8) requiring an applicant for initial licensure in dentistry, dental hygiene, assisting, or for a faculty permit to attest to current certification in cardiopulmonary resuscitation.

SECTION SEVENTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 47.10 and Iowa Admin. Code r. 657-2.3, 2.11(2), 3.5(1), and any other implementing administrative rules which prohibit the practice of pharmacy by a pharmacist licensee whose license is inactive or lapsed, or by a pharmacy technician trainee who is unable to become nationally certified due to closed testing locations. Suspension of these provisions is limited to pharmacist licenses which have lapsed or expired within the five (5) years prior to this Proclamation, and is limited to pharmacy technician trainees whose trainee registration expires between March 18, 2020, and July 31, 2020, and who are unable to sit for the examination due to closed testing locations, and is solely for the duration of this Proclamation.

SECTION SEVENTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code chapters 80A, 88A, 88B, 89, 89A, 90A, 91C, 99D, 99F, 100C, 100D, 101A, 103, 105, 124, 126, 135, 136B, 136C, 147, 147A, 147B, 148, 148A, 148B, 148C, 148E, 148F, 149, 151, 152, 152A, 152B, 152C, 152D, 153, 154, 154A, 154B, 154C, 154D, 154E, 154F, 155, 155A, 156, 157, 158, 159, 169, 192, 206, 272, 272C, 321, 441, 455B, 459B, 481A, 502, 522B, 535B, 542, 542B, 543B, 543D, 544A, 544B, 544C, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they impose requirements for in-person continuing education as a condition of professional license renewal or impose continuing education deadlines or requirements that are unable to be satisfied due to this Disaster Emergency. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SEVENTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code chapters 80A, 88A, 88B, 89, 89A, 90A, 91C, 99D, 99F, 100C, 100D, 101A, 103, 105, 124, 126, 135, 136B, 136C, 147, 147A, 147B, 148, 148A, 148B, 148C, 148E, 148F, 149, 151, 152, 152A, 152B, 152C, 152D, 153, 154, 154A, 154B, 154C, 154D, 154E, 154F, 155, 155A, 156, 157, 158, 159, 169, 192, 272, 272C, 321, 441, 455B, 459B, 481A, 502, 522B, 535B, 542, 542B, 543B, 543D, 544A, 544B, 544C, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they set an expiration date or renewal requirement for a professional license that expires during the duration of this Proclamation. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SEVENTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 281-79.16(4)(a), 645-31.6(2)(b)(12), 645-280.6(3), 645-240.6(2), 657-4.3, 645-300.3(4)(b)(2), 300.6(3)(a), and 300.6(3)(d), requiring the completion of clinical, practical, or internship experience as a condition of obtaining professional licensure to be a school administrator, mental health counselor, independent social worker, psychologist, pharmacist, or speech pathologist or audiologist. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies

or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SEVENTY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 272.2(17), 272C.3(1)(a), 543B.15(9), and 543D.22, and any provisions of the Iowa Administrative Code implementing those provisions, which require the completion of background checks for initial applicants as a condition of obtaining professional licensure. Suspension of these provisions shall apply during the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to, upon the expiration of this Disaster Emergency, conduct background checks for those applicants and take any necessary action resulting from completion of those checks, up to and including revocation of licensure.

SECTION SEVENTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 155A.7 and any implementing administrative rules to the extent they prohibit a pharmacist who is licensed in another state from engaging in the practice of pharmacy in this state prior to obtaining an Iowa pharmacist license due to requirements that are unable to be satisfied due to this Disaster Emergency. Suspension of this provision shall extend through the duration of this Proclamation and any further extension of this suspension. I hereby direct the Board of Pharmacy to provide additional guidance regarding the effect of these suspensions.

SECTION SEVENTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 155A.8 and any implementing administrative rules for an individual who has not yet obtained an initial license, if the board of pharmacy determines that the individual has completed sufficient education, is unable to sit for the required exams due to closed testing locations, and should be granted an emergency license to practice until such time as the individual is able to sit for the required exams in accordance with any guidance issued by the board. I hereby direct the board of pharmacy to provide additional guidance to applicants and licensees regarding the effect of this suspension.

SECTION SEVENTY-NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 650-1-1.2, 650-11.5, 650-12.1, and 650-12.4 to the extent an applicant is required to complete specific examinations as a prerequisite for initial licensure as a dentist or dental hygienist, if the dental board determines that the applicant has completed sufficient education and should be granted a temporary license to practice in accordance with any guidance issued by the board. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the dental board to provide additional guidance to applicants regarding the effect of this suspension, including guidance on obtaining a temporary license.

SECTION EIGHTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135.17(3) and Iowa Administrative Code rule 641-51.12 which require each local board of health to furnish the Iowa Department of Public Health with evidence by May 31 annually that each student enrolled in school within the local board's jurisdiction has satisfied dental screening requirements. I hereby direct the Iowa Department of Public Health to provide additional guidance to local boards of health regarding the effect of this suspension.

SECTION EIGHTY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 542B.13 and Iowa Admin. Code r. 193C-3.1(1) and 193C-3.2, setting an application expiration date and deadline for taking certain examinations to be licensed as a professional engineer or land surveyor.

SECTION EIGHTY-TWO. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 543D.8 and Iowa Admin. Code r 193F-3.2, 193F-5.3, and 193F-6.3 and any other implementing administrative rules establishing examination deadlines as a condition for initial licensure for appraisers.

SECTION EIGHTY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 542.5 and Iowa Admin. Code r 193A-3.6(1) and any other implementing administrative rules establishing an 18-month examination deadline as a condition for initial licensure for prospective certified public accountants.

SECTION EIGHTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 655-3.4(4) requiring an applicant for a nursing license to complete an examination within ninety-one days of board authorization.

SECTION EIGHTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 657-2.4(2) requiring an applicant for a pharmacist license to complete all components in Iowa within a period of one year from the date the candidate passed the initial component.

SECTION EIGHTY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 645-280.2 and 645-31.18, to the extent that they require out-of-state marital, family therapy, and mental health counselors, or social workers who provide services by telephone or other electronic means to individuals in the State of Iowa to be licensed in Iowa.

SECTION EIGHTY-SEVEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 147.2, 148B.8, and 154B.4, and Iowa Admin. Code r. 645-201.3(4) and 645-208.3(4), to the extent that they require out-of-state physical therapists, physical therapist assistants, occupational therapists, occupational therapy assistants, speech pathologists, audiologists, optometrists, podiatrists, psychologists, dietitians, hearing aid specialists, physician assistants, behavior analysts, assistant behavior analysts, orthotists, pedorthists, and prosthetists who hold an active license in another state to be licensed in Iowa to provide services by telephone or other electronic means to individuals in the State of Iowa.

SECTION EIGHTY-EIGHT. Pursuant to Iowa Code section 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code Chapter 80B, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they set an expiration date, certification requirements, renewal requirement, or deadline for professional certification, or specialty certifications that expire during the duration of this proclamation. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the Iowa Law Enforcement Academy and its Council to provide additional guidance to certified peace officers and holders of specialty certificates regarding the effect of these suspensions.

SECTION EIGHTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 641-29.6(3) requiring an applicant for a license as a plumbing or mechanical system professional to complete an examination within one year from the date of the application. I hereby direct the plumbing and mechanical systems board to provide additional guidance to its applicants and licensees regarding this suspension.

SECTION NINETY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 544A.8 and Iowa Admin. Code rule 193B-2.3 establishing examination deadlines as a condition of initial licensure for architects. I hereby direct the Architectural Examining Board to provide additional guidance to applicants for initial licensure regarding the effect of these suspensions.

SECTION NINETY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 543B.15(7) and 543B.15(8), establishing certain deadlines to complete education requirements prior to examination for initial licensure for real estate salespersons and real estate brokers. I hereby direct the Real Estate Commission to provide additional guidance to applicants for initial licensure regarding the effect of these suspensions.

SECTION NINETY-TWO. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 536.11(2), 536A.14(1), and 537.2304 (2), and Iowa Admin. Code rules 187-15.12, 187-16.2(1), 187-17.12, 187-19.7, requiring a licensee to file annual reports.

SECTION NINETY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 533A.2(7), 533D.3(7), 535B.4(2)(b), 535D.4, 536.30, 536A.32, and 543E.20(5) and Iowa Admin. Code rules 187-15.3(2), 187-16.3(2), 187-17.3(2), 187-18.2(2), 187-19.2(5), 187-20.3(2), and 187-25.2(3), which require the completion of background checks for initial applicants as a condition of obtaining professional licensure. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies governed by these provisions to, upon the expiration of this Disaster Emergency, conduct background checks for those applicants and take any necessary action resulting from completion of those checks, up to and including revocation of licensure.

EMS PROVIDER TRAINING REGULATORY RELIEF

SECTION NINETY-FOUR. Pursuant to Iowa Code § 29C.6(6), and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-131.5(1) to the extent those provisions require in-person clinical experience, so long as alternative evaluation methods are used including but not limited to scenarios, case studies, or simulations. I hereby direct the Department to provide guidance to training programs regarding the effect of these suspensions.

SECTION NINETY-FIVE. Pursuant to Iowa Code § 29C.6(6), and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-131.4(1)(f) to the extent those provisions require successful completion of the NREMT practical examination to be eligible for state certification, if the department determines that the candidate has completed the cognitive examination and should be granted an emergency certification to practice in accordance with any guidance issued by the department. I hereby direct the department to provide additional guidance to candidates for certification regarding the effect of these suspensions.

SECTION NINETY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-131.5(10)(d), requiring training programs meet certain standards and guidelines in applying to the department, to the extent a training program cannot comply with applicable requirements due to this disaster emergency.

PROPERTY TAX PAYMENT RELIEF

SECTION NINETY-SEVEN. Pursuant to Iowa Code §29C.6(6) and 135.144(3), in conjunction with the Iowa Department of Public Health, and at the request of multiple counties, I continue to temporarily suspend the regulatory provisions of Iowa Code § 445.39 and Iowa Admin. Code rule 701-75.3, that require the imposition of penalty and interest for delay in payment and direct that no such penalty or interest may be imposed for the duration of this proclamation and any future extension of this suspension. This suspension shall expire at midnight at the end of July 31, 2020. No interest shall accrue under those provisions for any fraction of July 2020.

SUSPENSION OF TAX SALES AND EXTENSION OF RIGHT OF REDEMPTION AFTER TAX SALES

SECTION NINETY-EIGHT. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 446.2, 446.7(1), 446.9, 446.10(2), 446.15, 446.16, 446.17, 446.18, 446.19, 446.19A, 446.19B, 446.24, 446.25, and 446.28, requiring a county treasurer to hold a tax sale for any parcel on which taxes are delinquent, including all notice and publication requirements prior to such a sale. This suspension shall expire at midnight at the end of July 31, 2020. No fraction of July 2020 shall be used to calculate the amount of interest due under those provisions. Consistent with Iowa Code

§ 446.28. the county treasurer shall have the sole discretion to determine if any tax sale in a county that was not held in June can be held in a particular month or must be further delayed.

SECTION NINETY-NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 446.20(1) and 445.3(5), permitting a county treasurer to collect the total amount of delinquent taxes due by alternative remedy, including by personal judgment. This suspension shall expire at midnight at the end of July 31, 2020. No fraction of July 2020 shall be used to calculate the amount of interest due under those provisions.

SECTION ONE HUNDRED. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 446.20(2), 447.9, and 447.12, to the extent that a person's right of redemption expires if the person has been served a notice of expiration of the right of redemption. Nothing in this section affects the ability of a holder of a certificate of purchase to serve a notice of expiration of the right of redemption, and nothing in this section restricts or limits a person's right to redeem during the pendency of this disaster. This suspension shall expire at midnight at the end of July 31, 2020. Upon expiration of this suspension, the right of redemption shall again expire as provided for in Iowa Code § 447.12.

SECTION ONE HUNDRED ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 448.1(1), requiring a county treasurer to make out a deed immediately after the expiration of ninety days from the date of completed service of a notice of expiration of the right of redemption. This suspension shall expire at midnight at the end of July 31, 2020. Upon expiration of this suspension, the statutory time period to make out a deed shall resume as provided for in Iowa Code § 448.1.

FOOD ESTABLISHMENT LICENSURE RELIEF

SECTION ONE HUNDRED TWO. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 137F.4 and Iowa Admin Code rule 481-30.3(6) requiring a food establishment renew its license within 60 days of expiration.

FINANCIAL RELIEF

SECTION ONE HUNDRED THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.34(1) and Iowa Admin.- Code rule 185-4.26, to the extent class "A", class "B", class "C", and special class "C" liquor licenses and class "B" beer permits and class "C" wine permits expire one year from the date of issuance, unless sooner suspended or revoked. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the Iowa Alcoholic Beverages Division to provide guidance to licensees and permittees regarding the effect of these suspensions.

SECTION ONE HUNDRED FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.137, requiring class "A" or class "A" beer permit holders to report barrels of beer sold or pay to the Iowa Alcoholic Beverages Division the amount of tax due on or before the tenth day of each calendar month. The associated penalty of ten percent if the report is not filed and the tax not paid within the time will not be assessed.

SECTION ONE HUNDRED FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.184, requiring class "A" wine permit holders and wine direct shipper permit holders to report gallons of wine sold or pay to the division the amount of tax due on or before the tenth day of each calendar month. The associated penalty of ten percent if the report is not filed and the tax not paid within the time will not be assessed.

SECTION ONE HUNDRED SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.34(5) prohibiting a refund of fees paid for a six-month or eight-month seasonal license or permit, or for fourteen-day or five-day license or permit.

SECTION ONE HUNDRED SEVEN. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 99B.12(1)(e) and Iowa Admin.

Code 481-100.3(3) prescribing that no raffle license fees are refundable, and temporarily suspend the regulatory provisions of Iowa Admin. Code 481-100.16(1) prescribing raffles to conclude only during the period of the license.

INTERIM INDIGENT DEFENSE FEE CLAIMS

SECTION ONE HUNDRED EIGHT. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 493-12.3(1), to the extent those provisions prohibit an attorney from submitting an interim claim in a juvenile case at the continuance of a dispositional hearing or a post-dispositional review hearing. Suspension of these provisions shall not affect any other requirement related to the submission of claims to the state public defender for review, approval, and payment. This suspension shall expire on July 31, 2020.

SECTION ONE HUNDRED NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 493-12.3(4), to the extent those provisions prohibit an attorney from submitting an interim claim in other cases, including all adult criminal cases except Class A felony cases, at the continuance of trial. Suspension of these provisions shall not affect any other requirement related to the submission of claims to the state public defender for review, approval, and payment.

POOL REGISTRATION FEES

SECTION ONE HUNDRED TEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 641-15.12(1), to the extent it requires a \$25 penalty for each month or fraction thereof that the registration for a swimming pool or spa is not received by the Department of Public Health by April 30 or the first business day thereafter if the pool is closed during the month. I hereby direct the Department to issue a refund to any owner having already paid a penalty under this rule for the registration period that began on May 1, 2020.

VETERANS ASSISTANCE

SECTION ONE HUNDRED ELEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request on behalf of a county commission on veteran affairs, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 35A.16(3) and 35B.6, and any provisions of the Iowa Administrative Code implementing those provisions, to the extent a county is prohibited from expending an allocation from the county commissions of veteran affairs fund for fiscal year 2020 or fiscal year 2021 to provide services to veterans in coping with this disaster, including but not limited to the provision of food or other basic necessities.

VETERANS STAFF CERTIFICATION TRAINING

SECTION ONE HUNDRED TWELVE. Pursuant to Iowa Code § 29C.6(6), and at the request on behalf of a county commission of veteran affairs, I continue to temporarily suspend the regulatory provisions of Iowa Code § 35B.6(1)(c) and Iowa Admin. Code rules 801-7.2(2) and 801-7.2(3)(c), to the extent an executive director or administrator is required to complete a course of certification training within one year of employment.

SCHOOL READY FUNDING LIMITATION

SECTION ONE HUNDRED THIRTEEN. Pursuant to Iowa Code § 29C.6(6) and at the request of the Early Childhood Iowa State Board on behalf of Early Childhood Iowa Area Boards, I continue to temporarily suspend the regulatory provisions of Iowa Code § 256I.9(4)(e), to the extent it limits the amount of school ready children grant funding an area board may carry forward from fiscal year 2020 to fiscal year 2021 to twenty percent, but only if the amount does not exceed thirty-five percent consistent with any policy adopted by the Early Childhood Iowa State Board. This suspension shall expire on July 1, 2020.

SUSPENSION OF PAPER BIDDING PROCEDURES

SECTION ONE HUNDRED FOURTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, and at the

request of the City of Des Moines and the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code chapter 26 to the extent they require the distribution, receipt, opening, or recording of paper documents by a governmental entity under the Iowa Construction Bidding Procedures Act, so long as the governmental entity otherwise complies with those provisions of chapter 26 by electronic means, including but not limited to the use of an electronic public bidding service.

ELECTRONIC SEARCH WARRANT RETURNS OF SERVICE

SECTION ONE HUNDRED FIFTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request of the Iowa Judicial Branch, I continue to temporarily suspend the regulatory provisions of Iowa Code § 808.8(2) requiring a peace officer's statement on a return of service to be made under oath, to the extent that a peace officer may use electronic means to file the return of service and submit an inventory of seized property, subject to any processes and procedures established by the judicial branch.

ELECTRONIC MEETINGS AND HEARINGS

SECTION ONE HUNDRED SIXTEEN. Pursuant to Iowa Code § 29C.6(6), and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, to the extent that the statutes could be interpreted to prevent a governmental body from holding the meeting by electronic means, provided that the governmental body properly notices the meeting or hearing and includes a telephone conference number or website address that permits the public to participate in the meeting or hearing. I also temporarily suspend those statutes to the extent they could be interpreted to prevent a governmental body from limiting the number of people present at an in-person location of the meeting, provided that the governmental body provides a means for the public to participate by telephone or electronically as provided in this section.

IN-PERSON OPEN RECORDS REQUESTS

SECTION ONE HUNDRED SEVENTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code § 22.4 to the extent those provisions require a lawful custodian of records to maintain office hours to receive in-person record requests, so long as the custodian has posted clear direction for making requests in writing, by telephone, or by electronic means in a prominent place that is easily accessible to the public.

REMOTE WITNESSING OF LEGAL DOCUMENTS

SECTION ONE HUNDRED EIGHTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 144B.3, 633.279, and 633B.105, to the extent that they require the physical presence of a testator, settlor, principal, witness, or other person, if the person is present in a manner in which the witness or other person can see and hear the acts by electronic means, such as video conference, Skype, Facetime, Zoom, or other means, whether or not recorded.

SUSPENSION OF IN-PERSON FOSTER CARE REVIEW

SECTION ONE HUNDRED NINETEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 237.20(1)(a)(1)-(5) to the extent those provisions require any in-person case review of a child receiving foster care.

SUSPENSION OF IN-PERSON CHILD HEALTH PROTECTION INTERVIEWS

SECTION ONE HUNDRED TWENTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-94.2, and any rule

using the term "forensic interview" as defined in that provision, to the extent a forensic interview must be conducted face to face.

SUSPENSION OF NEW ELEVATOR STANDARDS

SECTION ONE HUNDRED TWENTY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 875-72.10 and 73.1. to the extent they set an enforcement date of May 1, 2020, for the American Society of Mechanical Engineers Safety Code for Existing Elevators and Escalators, A17.3 (2011).

DEPOPULATION AND DISPOSAL OF LIVESTOCK

SECTION ONE HUNDRED TWENTY-TWO. Pursuant to Iowa Code § 29C.6(8) and (10), I continue to direct the Iowa Department of Agriculture and Land Stewardship to create and implement a program to provide financial assistance to livestock producers for the cost of disposal for livestock that were depopulated due to market disruption caused by COVID-19. I further direct the Iowa Department of Agriculture and Land Stewardship to provide technical assistance and equipment, to the extent any is available, to assist livestock producers related to livestock depopulation and disposal efforts due to market disruption caused by COVID-19. The Iowa Department of Agriculture and Land Stewardship shall cooperate in these efforts with other state and federal agencies, including but not limited to the Iowa Department of Natural Resources, the Iowa Department of Transportation, and the U.S. Department of Agriculture. Any financial assistance provided under this section shall be used only for the costs of disposal of livestock and shall not be used for indemnity payments or considered to be an indemnity program.

CRITICAL TRUCKING OPERATIONS

SECTION ONE HUNDRED TWENTY-THREE. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 321.463 (6) (a) and (b) and 321E.29 and Iowa Admin. Code chapter 761-511, to the extent that those provisions restrict the movement of oversize and overweight loads of vaccines, antivirals, prescription drugs, protective equipment, other necessary medical assets food, medical supplies, cleaning products, other household goods, agricultural supplies and commodities (including, but not limited to, livestock, raw milk, and crop supplies), agricultural waste (including, but not limited to, animal carcasses), or any other goods and supplies necessary to respond to this public health disaster and its economic effects and require a permit to transport such loads.

- A. Suspension of these provisions applies to loads transported on all highways within Iowa, excluding the interstate system, and those which do not exceed a maximum of 90,000 pounds gross weight, do not exceed the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code §321.463 (6) (b), by more than twelve and one-half percent (12.5%), do not exceed the legal maximum axle weight limit of 20,000 pounds, and comply with posted limits on roads and bridges.
- B. This action is intended to allow vehicles transporting food, medical supplies, cleaning products, and other household goods to be oversize and overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.

SECTION ONE HUNDRED TWENTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and 49 CFR § 390.23, I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service of motor carriers and drivers of commercial motor vehicles, while transporting vaccines, antivirals, prescription drugs, protective equipment, other necessary medical assets food, medical supplies, cleaning products, other household goods, agricultural supplies and commodities (including, but not limited to, livestock, raw milk, and crop supplies), agricultural waste (including, but not limited to, animal carcasses), and any other goods and supplies necessary to respond to this public health disaster and its economic effects subject to the following condition:

- A. Nothing contained in this Proclamation shall be construed as an exemption from the controlled substances and alcohol use and testing requirements set out in 49 CFR Part

Code rules 11-57.4 and 11-57.7 that limit the number of hours per fiscal year for temporary employees in state agencies, and the regulatory provisions of Iowa Code § 20.4(5) to the extent it limits the period of time a temporary employee may work in state agencies as an excluded public employee.

SECTION ONE HUNDRED FIFTY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code chapters 8A and 8B, Iowa Code § 313.10, Iowa Admin. Code Chapters 11-117, 11-118, 129-10, 641-176, requiring the Iowa Department of Public Health, the Iowa Department of Homeland Security and Emergency Management, and other state agencies involved in the response to this disaster emergency to procure goods and services through a competitive selection process or to otherwise follow, adhere to, or obtain other procurement-related processes, procedures, approvals, or limitations. Suspension of these provisions is limited to the duration of this proclamation and is further limited to procurements which are necessary to prevent, contain, or mitigate the effects of the COVID-19 virus, facilitate telework by state employees, and mitigate and respond to increased cyber-attacks and threats.

IMPLEMENTATION AND INTERPRETATION

SECTION ONE HUNDRED FIFTY-TWO. The Iowa Department of Public Safety, Iowa Department of Public Health, Iowa Department of Education, Iowa Department of Homeland Security and Emergency Management, Iowa Department of Transportation, and other participating state agencies are hereby directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

SECTION ONE HUNDRED FIFTY-THREE. In conjunction with the Department of Public Health pursuant to Iowa Code §§ 29C.18 and 135.35, all peace officers of the state are hereby called upon to assist in the enforcement of the provisions of this Proclamation.

SECTION ONE HUNDRED FIFTY-FOUR. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION ONE HUNDRED FIFTY-FIVE. The provisions of this proclamation shall be effective immediately, unless otherwise noted. This state of public health disaster emergency shall now expire on August 23, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me.



IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SUBSCRIBED MY NAME AND
CAUSED THE GREAT SEAL OF THE STATE
OF IOWA TO BE AFFIXED AT DES MOINES,
IOWA THIS 24TH DAY OF JULY IN THE
YEAR OF OUR LORD TWO THOUSAND
TWENTY.


KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:


PAUL D. PATE
SECRETARY OF STATE